

MEMORANDUM
RM-6163-ARPA
DECEMBER 1969

REGROUPMENT, WITHDRAWALS, AND
TRANSFERS-VIETNAM: 1954-1955
PART I

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PREPARED FOR:
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The **RAND** *Corporation*
SANTA MONICA • CALIFORNIA

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This study is presented as a competent treatment of the subject, worthy of publication. The Rand Corporation vouches for the quality of the research, without necessarily endorsing the opinions and conclusions of the authors.

PREFACE

This Memorandum is part of a continuing study, under the auspices of the Advanced Research Projects Agency, of various military and political aspects of war termination in Vietnam. It is based on the premise that in the settlement of the present conflict in Vietnam, policymakers may find useful an explication of the earlier French experience in terminating a conflict in the same country with the same adversary. In an earlier but related work,

the author examined in detail the disposition of prisoners of war in the Geneva Agreements of 1954 and the Laos Protocol of 1962 and assessed the effectiveness of the provisions and their possible relevance to the current situation. The present Memorandum is the first of a two-part analysis of another critical issue in the Geneva Agreements of 1954-1955, the regroupment, withdrawal, and transfer of troops. It deals with negotiations, terms, and the initial regroupment of forces throughout Vietnam but covers only the withdrawals and transfers that took place in the North. The withdrawals and transfers in South Vietnam will be covered in a future report.

The author, a consultant to Rand's Social Science Department, is a former member of the U.S. Foreign Service, who served as political officer in the American Embassy in Saigon from July 1954 to September 1956. During this time, she became well acquainted with the operation of the International Control Commission (ICC) and its role in the implementation of the 1954 Geneva Agreements.

This report has been cleared for open publication per F.Koether,DARPA, 11-3-77. References to publications which may still be classified have been deleted.

SUMMARY

At a time when the U.S. is seeking to reduce its own involvement and to find a peaceful solution to the present conflict in Vietnam, it is appropriate to examine the earlier French experience in terminating a conflict in that same country. An analysis of some of the problems and solutions of 1954, and of the positions and behavior of the adversary at that time, may provide useful background data should situations arise similar to those of the past.

This Memorandum examines one aspect of the earlier experience -- the regroupment, withdrawals, and transfers effected as a result of the Geneva Agreement on the Cessation of Hostilities in Vietnam, signed by the French and Vietminh Commands in 1954.*

Some of the noteworthy features of the Vietminh negotiating style at the Geneva Conference were their maneuvers to secure agreement on broad political principles before discussing terms of a military settlement, their preference for covert bilateral talks with the French outside the Conference framework, and their attempts to force the adversary to reveal his hand before they revealed their own. Though they constantly urged the Conference to give priority to discussion of a political settlement, they made certain that their military operations in the field were geared to support their political demands, to make prompt use of information gleaned by their negotiators at the Conference table, to take advantage of political, psychological, and military weaknesses of the adversary, and to improve their military positions in Vietnam in case the peace negotiations should break down (Section II, and pp. 85-88.)

*Part I of this two-part study deals with negotiations, terms, and the initial regroupment of forces throughout Vietnam, but covers only the withdrawals and transfers that took place in the North. This should be kept in mind when considering the paper's comments on Vietminh implementation of the Agreement, the relative degree of success of the operations, and the effectiveness of the supervision provided. The withdrawals and transfers in South Vietnam will be covered in Part II.

One of the interesting developments was the limited role played by the ICC (International Commission for Supervision and Control) in supervising the regroupment and withdrawal provisions of the Agreement. The provisional regroupment was actually completed in North Vietnam before the ICC had established its headquarters at Hanoi, and was completed throughout Vietnam long before the ICC was staffed to place personnel in the DMZ (Demilitarized Zone), let alone supervise scattered troop movements (Section III).

As was to be expected, the JC (Joint Commission) did the detailed planning for the periodic withdrawal of forces, and for the civil, police, and military transfers of Hanoi (Sections IV and V, 1), Haiduong (Section V, 2), and Haiphong (Section V, 3). But it also assumed the major role in supervising execution of these operations. With two important exceptions, the role of the ICC was essentially a passive one -- a presence that acted as a safeguard. However, the major safeguard that ensured orderly military transfers in North Vietnam was the wish of each side to avoid a resumption of hostilities, partly because of the trump card held by the other -- the PAVN (People's Army of Vietnam) could overrun the withdrawing French forces, and the latter could destroy the infrastructure before departing (80-83 and 116-118).

As the Geneva Conference drew to a close, the French regarded as their major problem in the post-Conference period the disengagement of their forces and the military transfers in North Vietnam. They underestimated the difficulties they would face in trying to remove from the DRV (Democratic Republic of Vietnam) zone military and civilian equipment of U.S. and French origin, and in evacuating North Vietnamese civilians who had the right to choose their zone of residence, under the terms of the Geneva Agreement.

Vietminh efforts to retain intact the physical plant and infrastructure of North Vietnam became the most serious threat to orderly transfers in that zone (pp. 39-42). And failure of the French and U.S. governments to have contingency plans, in case of an exodus from the North, jeopardized the orderly movement of forces by overwhelming logistic facilities, and left the GVN (Government of

[South] Vietnam) and the ICC totally unprepared to cope with the situation.

It was in these two areas -- controlling the outshipment of equipment, and movement of refugees -- that the ICC was most active in North Vietnam during the regroupment period. It was also in these areas that the Commission revealed its strength and its weakness -- i.e., its ability to resolve impasses and reduce tensions by providing guidelines and arbitration (pp. 40-41 and pp. 64-67), and its inability to ensure compliance, or conduct valid investigations of violations, when a party resorted to subterfuges, and when one of its own members (Poland) acted in collusion with the party at fault (pp. 98-99; 107-108 and 117-118).

The Vietminh's selective implementation of the Geneva Agreement was evident at an early stage. When it served their interest, they complied. For example, they avoided harassing French forces, when they saw that the French were actually going to leave North Vietnam peacefully; and they respected the detailed provisions for the military transfers of Hanoi and Haiphong because they wanted to take over the areas intact. On the other hand, if it served their interests to violate the Agreement, they did so, as when they instigated riots to block the evacuation of equipment from Haiphong and used military force to prevent the departure of refugees (pp. 114-117).

Their behavior, however, was affected by the prospect of retaliation or public condemnation. When the French resumed bombing, in retaliation for Vietminh attacks that violated an agreement covering the interim period, the Vietminh stopped their attacks (Section III, 1). When the use of PAVN troops against refugees resulted in bad publicity and the possibility of an official ICC condemnation, they switched to other deterrent methods whose legality could not easily be challenged -- and whose results could therefore be ignored by the ICC. Some of these methods involved blocking access to coastal pickup points, organizing massive intimidation rallies, passing special laws under which those encouraging departures could be convicted in public

trials similar to trials conducted to cover reprisals against those who had opposed the Vietminh during the war (pp. 107-108 and 98-99).

Probably the one word that would best characterize the Vietminh takeover of French provisional areas in North Vietnam is "preparedness," for the DRV (Democratic Republic of [North] Vietnam) entered Hanoi, its new capital, prepared to assume full military, administrative, economic, and political control of its zone as rapidly as possible -- and prepared to violate the Geneva Agreement to do so, if necessary.

It increased imports of military supplies from Communist China, and avoided ICC detection in the process (Section VII, pp. 92-95). It installed a Military and Administrative Committee to run each town and surrounding area as it was taken over (using representatives of people's organizations and Vietminh cadres to disseminate and explain administrative directives) and used the census, rationing, and limitations on internal travel to facilitate surveillance of the population (pp. 95-96). It met the unexpected food crisis with forced labor, harsh land reforms, aid from the USSR, and trade with the South (pp. 99-100); it began rebuilding its economy with the help of technical advisers and equipment from the Communist bloc nations, heavy taxation of business profits, Communist Chinese coolies, and forced labor including illegally detained PWs (pp. 100-102).

The preparedness of the DRV was most striking in the political field. In less than three months it regimented the population in its zone to an extraordinary degree. To do this it used military and political cadres, organizations of youth, women, labor, etc., domestic and foreign publications, visits by delegations from the Communist bloc, and a widespread and intensive program of political indoctrination at every level. It even used the initial contacts finally established with the South (postal exchanges) to attempt to conduct a political campaign in the GVN zone (pp. 102-110).

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I. INTRODUCTION

Whether negotiations lead to a formal settlement in the present Vietnam conflict, or to informal agreements supplemented by unilateral actions, at some point the adversaries may find it necessary to provide for a temporary regroupment of forces, successive withdrawals, or a standstill on existing battlelines -- or possibly for a combination of these formulas: a provisional regroupment of some PAVN (People's Army of Vietnam) and U.S. forces, a standstill of ARVN (Army of the Republic of Vietnam) and VC (Vietcong) forces until the GVN (Government of [South] Vietnam) and NLF (National Liberation Front) have worked out (and perhaps implemented) a political settlement, and reciprocal withdrawals of the remaining PAVN and U.S. forces.

Though the frame of reference and the parties to the present conflict differ from those of the French Indochina War of 1946-1954, many of the issues and problems are similar, and the adversary has not changed. It may therefore be useful to examine critically the negotiations that terminated the previous conflict, and the terms, implementation, and supervision of the agreements concluded by the belligerent parties with respect to regroupment, withdrawals, and transfers in Vietnam. The following classified history of these aspects of the French Indochina War may serve as a guide or reminder if similar problems should be faced by the United States in the future.

II. GENEVA CONFERENCE

NEGOTIATIONS ON REGROUPMENT

When the Geneva Conference on Indochina convened on May 8, 1954, France's immediate objective was to end the fighting by getting the Vietminh to sign a limited agreement that would deal only with the military aspects of the conflict -- the exchange of prisoners, and the withdrawal and regroupment of forces -- after which there would be an immediate cease-fire throughout Indochina. The discussion of complex and time-consuming political and economic issues -- such as the reunification of Vietnam or France's future role in Indochina -- was to be postponed until after the cease-fire.

However, the Vietminh were aware of the deep weariness and growing dissent in France over the war, of the mounting concern over the heavy casualties among career officers, of the shock caused by the defeat at Dien Bien Phu where 10,000 French Union troops were captured, and of the effect of that defeat on the morale of Vietnamese troops fighting under French command. They therefore had reason to believe that, by stalling at the Conference table and making maximum use of military pressure and propaganda in the field, they could deny France the quick military settlement it sought, and thus might obtain both political and military concessions that would enable them to win the prize they had lost in 1946 -- the control of a unified Vietnam.

Though most of the nine delegations attending the Conference^{*} quickly agreed on the need to determine military regroupment areas in Vietnam as the first step toward a cease-fire, it took twelve weeks for the French and Vietminh to agree on provisional and final regroupment areas for their respective forces.^{**}

During these weeks, major differences between the parties centered on four questions -

^{*} Delegations of France, U.K., U.S., Cambodia, Laos, Vietnam, USSR, PRC, and DRV.

^{**} This paper deals only with the regroupment in Vietnam.

- Who should discuss and determine the areas of military regroupment?
- Who must regroup?
- What specific areas should be designated for each side?
- And, once the political decision to partition Vietnam had been made, when should the final withdrawal north and south of this line be completed?

Discussion and Determination of Areas

If the discussion of regroupment areas was to be the first order of business, it was apparent that the French and Vietminh High Commands would have to engage in direct talks. Unexpectedly, the question of where these talks should be held became a major issue.

Debate in the Conference indicated that the French delegate, hard-line Foreign Minister Georges Bidault, wanted to maintain close supervision and policy control over the French side at the military talks because of the political implications of regroupment decisions. Therefore, he wanted the talks held at Geneva. On the other hand, it was to the interest of the Vietminh to hold bilateral talks where the French negotiators would be far removed from Bidault's direct influence, from U.S. pressure for an even harder line than Bidault's, and from the watchful, suspicious eyes of delegates of the Government of Vietnam (GVN) who feared a French sell-out. The two Commands might thus be able to explore the possibility of partition, a solution that the French could not discuss in the presence of GVN or U.S. delegates since France had told both governments that it would not consider partition.

The Vietminh waited for the French to make the first move toward bilateral talks. Bidault did so one week after the Conference opened when he suggested that representatives of the High Commands of the French Union Forces (FUF) and of the People's Army of Vietnam (PAVN) meet at Geneva to discuss regroupment areas in Vietnam. Bidault emphasized then (and repeatedly thereafter) that the Commanders-in-Chief would be called upon to submit recommendations to the

Conference and to work out the technical details of regroupment, but that the Conference -- and not the Commanders-in-Chief -- would determine the areas of regroupment.

When the Vietminh failed to respond to the French invitation, British Co-Chairman Eden repeated the suggestion. In a formal proposal to the Conference on May 25, he called upon representatives of the two Commands to "meet immediately in Geneva" where they would work out regroupment areas for Vietnam "as their first task," and report their findings and recommendations to the Conference "as soon as possible." Meanwhile the Conference would discuss the question of international supervision of any agreements eventually concluded.*

At the same session, Vietminh Foreign Minister, Pham Van Dong, indicated in a circuitous manner that his government might be interested in a regroupment pattern that would partition Vietnam, but at the same time he rejected the proposal for bilateral military talks at Geneva unless the two Commands also met in Vietnam.

When the British revised their proposal accordingly and resubmitted it to the Conference on May 29, Bidault promptly accepted it and announced that representatives of the French and VNA Commands would be available in Geneva on June 1. However, he carefully avoided suggesting a date for contacts in the field.

It then became apparent that what the Vietminh really wanted was a meeting in the field in preference to one at Geneva, or, at the very least, simultaneously with a Geneva meeting.

Pham Van Dong specifically advocated a renewal of the bilateral military contacts established earlier in Vietnam to arrange for an exchange of wounded PWs. In responding to the British proposal, he harped on this theme:

. . . direct contacts are a good method. The question of Dien-Bien-Phu wounded gives an example. We accept therefore that direct contacts between the two forces be established here and in Indochina.

Making these contacts, we should examine what exists now. . . . Contacts on the spot are most important. Why have the French failed to mention it? . . . We are urging this Conference to agree on contact on the spot. There is a precedent in the Dien Bien Phu agreement. Its good provisions were unfortunately discarded. . . . We are in favor of on-the-spot contact. . . . I believe we should continue and develop our existing contact with the French Delegation. . . . We should make this contact permanent.*

Hinting that the Vietminh might boycott military talks at Geneva if the French refused to meet in the field, Dong warned that there might be "some delay" in the arrival of a PAVN representative. A recess was called to give the Chairman an opportunity to resolve the impasse, but Dong refused to agree to any specific date for the Geneva talks, promising only that he would give his reply "before the first of June."

In support of Dong's position, Co-Chairman Molotov asserted that questions relating to regroupment should be discussed by representatives of the two Commands, "provided that the talks in Geneva take place at the same time as talks on the spot in Indochina."**

However, when the May 29 session finally closed, all delegations had accepted the British resolution, which still set no specific date for contacts in the field. It read as follows:

In order to facilitate the early and simultaneous cessation of hostilities it is proposed that:

- a. Representatives of the two Commands should meet immediately in Geneva and contacts should also be established on the spot.
- b. They should study the dispositions of the forces to be made upon the cessation of hostilities, beginning with the question of regrouping areas in Vietnam.
- c. They should report their findings and recommendations to the Conference as soon as possible.

*
** *Ibid.*, p. 14.

It is agreed that the date of the first meeting of the representatives of the two Commands in Geneva shall be fixed before June 1.*

In response to this resolution, representatives of the two Commands met at Geneva on June 2. But the French had good reason to suspect that the Vietminh did not intend to engage in serious discussions on regroupment, for their "military" delegation included only one military officer.**

When the talks opened, it was apparent that the Vietminh were still intent on arranging for a meeting in Vietnam, for they promptly proposed that both sides immediately telegraph their respective Commands directing them to establish contact, without delay, in order to set up a Military Commission in Vietnam.

The senior French military delegate, General Delteil, was probably correct when he observed that the Vietminh wanted talks in the field "for the adverse effect it would have on the morale and the will to fight of the French Union Forces."*** But the fact that the GVN had assigned two delegates to sit in on the military talks at Geneva, in order to watch the French for any signs of "defeatist concessions" to the Vietminh, was probably also a factor,**** especially if the Vietminh did not plan to limit the talks to the technical details of regroupment. On May 26, the Soviet news agency TASS had suggested bilateral talks at Geneva and in the field to discuss not only a general cease-fire but also "all other questions considered by the Conference" -- an indication that the Vietminh were probably thinking along those lines.*****

Though the French repeatedly assured the U.S. that they would not fall into the Vietminh "trap" by starting talks in the

* *Ibid*, pp. 17-18.

**

field before agreement had been reached at Geneva on the framework for such talks, nevertheless, when it was apparent that the Geneva military talks were getting nowhere, the FUF representative proposed to his Vietminh counterpart that they jointly send a telegram to the two Commands in Vietnam instructing them to establish contact at one of the three points then being used for the exchange of PWs. When the Vietminh demurred for several days, the French ordered their High Command to have a liaison officer available on June 14 at Dinh Cau (a PW exchange point), and informed the Vietminh of this move. But the Vietminh made no attempt to establish contact.* They seemed to have lost interest in meetings in the field, or so it appeared to other Conference delegations unaware of new developments behind the scenes.

The fact was that on June 8 -- at the suggestion of the then senior French delegate, Jean Chauvel -- a member of the French military delegation, Colonel de Brebisson, had approached his opposite number, Colonel Ha Van Lau, to seek clarification of Dong's ambiguous May 25 regroupment proposal. Thereafter, the two senior French and Vietminh participants in the military talks (General Delteil and Colonel de Brebisson on the one side, and Deputy Minister of National Defense, Ta Quang Buu, and Colonel Ha Van Lau on the other) engaged in "underground" negotiations. The major difference between the open and the secret military talks, both being conducted simultaneously, was that the underground talks were concealed from both the GVN and the Conference. Indeed, their existence was actually denied by the Vietminh delegate when a French source leaked the story. Belatedly, the French told the U.S. in great secrecy, that the underground talks were going on, and, under pressure, provided limited information on the trend of the negotiations.**

Meanwhile, the military talks attended by the GVN were understandably making no progress. The two sides exchanged maps

*

in support of their respective claims to territory in Vietnam over which they allegedly had control, but they could not agree on what constituted "control." Finally, after producing only an agreed summary of the ten inconclusive meetings, the talks recessed on June 18 when the new, more conciliatory government of Premier Mendes-France took over in France -- and the less compromising Premier Diem was appointed to form a government in South Vietnam. By this time certain French authorities had already begun considering the possibility of using the underground talks for high-level political as well as military negotiations with the Vietminh. These began on June 21 when Chauvel sought a meeting with Dong.*

It was only after the underground talks had, unknown to the GVN, produced agreement on the partitioning of Vietnam that a meeting of the FUF and PAVN High Commands took place in the field.** The PAVN delegation, headed by a general, and the FUF delegation, headed by a colonel, met on June 29 at Trung Gia, about 30 kilometers north of Hanoi. But the meeting turned into a fiasco. Having already lured the French into bilateral political and military talks at Geneva, and having obtained the publicity attendant upon getting the French to schedule what appeared to be a cease-fire meeting in Vietnam in the midst of combat, the PAVN representative then cancelled the meeting which was no longer important to the Vietminh. His excuse for doing so was his objection to the lower rank of the senior French delegate and the presence of GVN representatives.***

On July 4, after the FUF withdrawal from the Delta was completed and the military phase of the underground talks had ended,

the Trung Gia talks finally got underway to discuss some of the military aspects of the anticipated cease-fire. Though the senior French representative was still a colonel, and the GVN was still represented, neither fact seemed to bother the PAVN delegate any longer -- possibly because he was able to confront the FUF delegate in daily secret sessions from which the GVN delegate was barred.*

(U) The parties meeting in Vietnam formed the Trung Gia Military Commission (TGMC) mentioned in the Geneva Agreements with reference to the removal of mines (Art. 12a), the designation of air corridors in North Vietnam (Art. 13), the disengagement of combatants (Art. 15f), the determination of personnel to be admitted to the DMZ (Art. 8), and the delimitation of the DMZ (Annex I, b). The TGMC discussed these topics during the final weeks of the Geneva Conference and signed several bilateral agreements following conclusion of the Conference. In mid-August the TGMC was replaced by the Joint Commission, established under the terms of the Geneva Agreement. General Van Tien Dung, chief of the Vietminh Delegation at Trung Gia, and General Delteil, senior French negotiator at the secret and underground military talks at Geneva, became chiefs of their respective delegations to the Joint Commission.

(U) Who Must Regroup?

(U) There was no acrimonious disagreement about the types of forces to be regrouped as there often was about other topics. The Vietminh simply ignored the distinctions emphasized by the Allied delegations.**

*

(U) These figures were well below French military estimates for the previous year, which had placed the Vietminh total at about 350,000: 125,000 regulars, 75,000 regionals and 150,000 irregulars. Later, the French believed that even these figures should have been higher with respect to regional and irregular forces. (Henri Navarre, *Agonie de L'Indochine*, Librairie Plon, Paris, 1956, p. 46, fn. 2.)

On the opening day of the Conference, Bidault proposed that "all regular units" in Vietnam be regrouped, and "all elements not belonging to either the army or the police forces" be disarmed. Several weeks later, he found it necessary to amplify the French proposal with reference to both regular and irregular forces:

. . . by "regular troops" it is intended to mean all constituted and permanently organized units. This remark has a certain importance because of the terminology adopted by the Vietminh which does not include under the term "regular troops" regional troops which are as powerful and as well armed as the others.

. . . more than one-third of the Vietminh forces are what we call irregulars, that is to say those which do not form a part of the troops organized on a permanent basis which we have already discussed. These elements are scattered over the whole territory. The Geneva Conference has as its task the reestablishment of peace in Indochina. It would be strange that its decisions should apply only to one part of the Vietminh and that the rest of these forces would maintain full liberty of action in the territories where they are located. All chance of really reestablishing peace would thus be set aside. The regular Cambodian and Laotian troops in Cambodia and Laos and the Franco-Vietnamese troops in their regroupment zones in Vietnam would find their security seriously menaced by elements which had infiltrated around them. The life of the country would be in certain cases compromised. It is essential that the irregular elements which have not accompanied the regulars in observing measures previously outlined should be disarmed. This is one of the principal conditions for the return of real peace in Indochina. *

The following day, the Vietminh proposed that each side withdraw its forces "of the regular army" from the territory of the other side, the withdrawal to include "all armed forces of land, sea, and air, all military organizations, all the personnel of naval and air bases, and all police forces."**

However, in subsequent debate it became apparent that the Vietminh were not going to agree to any clause in the Agreement requiring the regrouping or disarming of irregular forces. Although the French continued to press the point in Conference sessions, they admitted to U.S. officials privately that it would be impossible to get all Vietminh guerrillas regrouped or disarmed, and consequently that "irregulars and political cadres remaining in evacuated areas could probably not be prevented from continuing efforts to subvert and take over these areas."^{*} The U.S. nevertheless continued to advocate the disarming of all irregulars of one side located in the regroupment area of the other.^{**}

Though the final settlement did not call for the disarming of any forces in Vietnam, it did provide for the concentration of "the armed forces of all kinds" (Art. 15f, 1). Of course, the terminology covered all guerrilla forces, but it is doubtful that anyone at the Conference expected it to be so interpreted by the Vietminh.

With regard to the regroupment of Vietnamese civilians, there was little evidence at the outset of the Conference that the French expected, or were prepared, to evacuate from regroupment areas assigned to the Vietminh any Vietnamese civilians other than military dependents, those with French citizenship, and those who would be in particular danger because of their close affiliation with the French. The U.S., however, repeatedly emphasized the importance of including in the terms of the settlement provisions for the evacuation of all civilians wishing to leave areas that would come under Vietminh control after the cease-fire. In fact, the U.S. made its acceptance of any Geneva settlement contingent upon the inclusion of such provisions.^{***}

This position was clearly stated as point 6 in the communication of June 29, 1954 to the French government, in which the U.S. and U.K. listed the conditions under which they would respect an armistice agreement in Indochina. See Anthony Eden, *Full Circle*, Houghton Mifflin Company, Boston, 1960, p. 149.

The need for safeguards became apparent during the Conference when the French, without advance warning, withdrew their forces from the southern portion of the Tonkin Delta and were besieged by thousands of peasants and townspeople seeking evacuation before the arrival of the PAVN. Even when the French had agreed to divide Vietnam into two zones, they initially estimated that no more than 100,000 North Vietnamese civilians would seek refuge in South Vietnam, instead of the 650,000 who actually did so.*

Where Should the Parties Regroup?

The first concrete suggestion for regroupment areas in Vietnam was made by Premier Laniel. In a speech to the French National Assembly, two months before the Conference on Indochina, he spelled out the terms that France "would accept" to achieve a cessation of hostilities. These were presented as demands rather than proposals:

In North Vietnam, the Tonkin Delta must be a well-defined area from which all Vietminh forces would be required to withdraw, under strict supervision. The area would be surrounded by no-man's-land.

In Central Vietnam, Vietminh forces would be regrouped in areas chosen so as to guarantee the security of the FUF.

In South Vietnam, Vietminh troops would be disarmed and evacuated.**

Though Laniel stated that his government favored a negotiated settlement and would consider any peace offer made by the other side before the Geneva Conference opened, his terms seemed designed to preclude rather than encourage negotiation. In fact, they were generally considered to be totally unrealistic in view of the heavy Vietminh infiltration of the French Delta, the PAVN build-up at Dien Bien Phu, the widespread Vietminh guerrilla activities throughout Vietnam, and the total Vietminh

* Both figures include military dependents.

** *The New York Times*, March 6, 1954.

control of a large area in Central Vietnam and of several important areas in South Vietnam.

Instead of countering with a peace proposal, the Vietminh responded to Laniel's terms the following week by launching their long-anticipated attack on Dien Bien Phu and a general offensive throughout Vietnam.

When the Geneva Conference opened after the fall of Dien Bien Phu, France was the first to propose terms for a cease-fire. This time it demanded no specific pattern of regroupment, but simply proposed that "regular units" in Vietnam be regrouped "in assembly areas to be defined by the Conference, on the basis of proposals by the Commanders-in-Chief."*

Two days later, the Vietminh presented their own cease-fire proposal. They too avoided suggesting specific regroupment areas, but made clear that they expected areas for Communist forces in each of the three Associated States, and wanted French forces in Vietnam confined to a "minimum" number of areas pending their total withdrawal from all of Indochina.**

In subsequent negotiations, the Vietminh sought to obtain agreement on the "principles" of regroupment prior to discussion of any concrete proposals for regroupment areas. This was a familiar tactic of the Communists when they wished to stall negotiations or obtain general commitments which they could later interpret in specific terms as they saw fit.***

Pham Van Dong made the first move in this direction. In his statement to the Conference, he presented the Vietminh position with regard to "the central question" of delimiting regroupment areas. This position, stated in terms of "principles," called for the

(U) *** For example, at the concurrent Conference on Korea, the USSR was insisting that delegates agree on general principles for a political settlement, leaving all the controversial but basic issues for "further" examination. See *The Korean Problem at the Geneva Conference*, Department of State, No. 5609, ICOS II (Far Eastern), October 4, 1954, USSR draft resolution p. 146, and Canada's comments on pp. 160-161.

designation of areas "for each theatre of operations of whatever size" (i.e., in each of the Associated States) where regroupment would involve,

an exchange of territory, taking into account the following elements: area, population, political bent, economic problems, in such a fashion that each of the parties shall be left with the zones in one piece, relatively large in size, permitting viable economies and administrative controls in each zone. The line of demarcation of these zones should insofar as possible follow geographic features or other easily recognizable features of the terrain, and its course should avoid insofar as possible creating difficulties for communications and transport into the respective zones.*

Dong's statement was generally interpreted as suggesting a settlement in Vietnam based on the principle of partition, a solution publicly and privately rejected by France, the GVN, and the U.S.

When the Geneva military talks got under way on June 2, the Vietminh began by asking the French for their views on Dong's "principles of readjustment of zones" and indicated that these proposals should form the basis of talks and agreements.

Though the French were definitely interested in what Bidault referred to as Dong's "enigmatic" proposal, they could not readily discuss the possibility of partition -- a solution they had officially disavowed -- at meetings attended by the South Vietnamese.**

Therefore, the French military representative replied that Dong's proposal had dealt chiefly with political and economic issues and only incidentally with strategic matters; and, further, that a discussion of the "principles" of regroupment was beyond the competence of the military representatives. He proposed that discussions be based, instead, on Laniel's March 5 concrete proposals, which could be modified "even in major respects." Though he invited the Vietminh

(U) ** Jean Lacouture and Philippe Devillers, *La Fin d'une Guerre*, Editions du Seuil, Paris, 1960, p. 95, fn. 4, and p. 123.

to submit their own concrete proposals, the latter insisted that they could not discuss specific details without prior agreement on "principles."*

Trying another tack, the French asked the Vietminh to specify the areas *in North Vietnam* over which they claimed military control. As they so often did at conferences, the Communists sought to learn as much as possible about the adversary's position before revealing their own. Claiming that they were unprepared to submit the information requested, the Vietminh asked the French to list the areas they claimed to control *throughout Vietnam*, promising to submit their own list later on. The French promptly complied, at which point the Vietminh questioned French criteria for claims of military "superiority," "supremacy," or "control" in a given area. (The French admitted privately to the U.S. that their claims were excessive inasmuch as they included areas actually heavily infiltrated by the Vietminh.)

In presenting their own territorial claims two days later, the Vietminh acknowledged French control of population centers but claimed Vietminh control of all surrounding areas, a position that the French rejected. The widely divergent views of the two sides were essentially as follows:

French position: An area was "controlled" by one party if its troops could move within the area wherever and whenever they pleased. A line of communication was controlled "when a party could use it regardless of difficulties it might have in doing so."

Vietminh position: A party could claim "control" over an area only if its bases and forces were secure (and the forces had a minimum liberty of action), and if its local administration was generally accepted by the population, whose security and livelihood it could guarantee. But if one of these conditions was lacking, or was not present in a sufficient degree, then the party did not control the area.

Using these criteria, the Vietminh asserted that they controlled most of Vietnam, the French controlled only certain centers,

and the remainder was "disputed area" -- a label they applied especially to the territory around the French centers and to the routes of communication between these centers.

Rejecting this analysis, the French responded that a party controlled an area if it had incontestable superiority over the other side, *despite* the latter's capability to infiltrate. For example, in many populated areas claimed by the Vietminh, the French noted that relations between the FUF and the villagers were good, markets were frequent, and traffic was intense on roads and highways. Mountainous regions were generally subject to entry by both sides, and therefore could not be considered "controlled" by either.*

When the French and Vietminh exchanged maps in support of their respective claims, the Vietminh map proved to be a "photographic negative" of the French map.**

After the two sides had signed a summary account of their meetings,*** the talks recessed on June 18 without having actually dealt with the question of regroupment areas. However, the territorial claims made by both sides -- and French acknowledgement of certain Vietminh claims -- undoubtedly influenced the subsequent allocation of provisional regroupment areas, the location of the partition line, and the choice of some PAVN military targets during the remainder of the Conference.

For example, during the talks, the French acknowledged that the Vietminh controlled the Ham Tan/Xuyen Moc region, part of the Plaine des Joncs, and the Camau Peninsula, areas later designated for the provisional regroupment of the PAVN. They also admitted that the PAVN "controlled" the Troc region *south* of the 18th parallel, an admission that must have made it more difficult for the French political

** Geneva Tel., USDEFREP, GENTO 58, and GENTO 59, June 16, 1954 (U). In the course of negotiations the Vietminh proposed what amounted to a "tiger stripe" arrangement of alternating bands across Central Vietnam which would be controlled by one party or the other. Molotov repeated the proposal to the French Prime Minister toward the close of the Conference. The French considered such a solution militarily unacceptable.

negotiators to cling to their demand for partition at the 18th. Yet, according to senior French military authorities, this parallel was the only militarily safe line for partition.*

The claim by the French military negotiators that the FUF controlled the Pleiku/Ankhe region and Route 19 (approximately at the 14th parallel) was quickly disproved in the field. While discussions were in progress, PAVN forces prepared for a major attack in this region where the French had no reserves. As the talks recessed, the French were compelled to begin withdrawing their 3,198-man task force from Ankhe toward Pleiku. Ten days and several bloody ambushes later, the Vietminh had demonstrated who controlled Route 19: when the French task force reached Pleiku, it had lost 1,593 of its men and most of its equipment. When the remaining forces attempted to withdraw southward from Pleiku to Banmethuot, they were ambushed and defeated by the Vietminh at Hleo, near the 13th parallel.**

Actually, throughout the Conference, France's bargaining power with respect to regroupment areas was constantly being eroded in the field. For example, in May when French forces began evacuating and destroying their concrete fortifications in the West Tonkin Delta, Vietminh ambushes and acts of sabotage often immobilized the newly created mobile striking forces that the French were using to protect isolated garrisons, thus enabling the PAVN to take over many posts (usually those held by Vietnamese militia) and expand their territorial control. In North Central Vietnam, French withdrawal from Ankhe in mid-June left the whole plateau region to the Vietminh. And when the FUF completed tightening its Delta perimeter in early July, moving into what the French referred to as the "useful Delta" (see map, p. 123) it left the entire South Delta to the Vietminh.

** For a description of the withdrawal, see Bernard B. Fall, *Street Without Joy*, The Stockpole Company, Harrisburg, Penn. 1961, p. 190 ff.

This withdrawal was completed without advance notice to GVN authorities, whom it embittered, or to French negotiators at Geneva, whom it embarrassed.*

To support Vietminh claims at Geneva that they controlled "almost all territory of Vietnam," Vietminh guerrillas destroyed bridges, tore out railroad tracks, cut roads, blew up gasoline depots, and destroyed a major water reservoir outside Haiphong.

To break the morale of Vietnamese troops, the Vietminh launched a propaganda barrage that underscored French defeat at Dien Bien Phu, enlarged upon each new PAVN military advance, and predicted victory at Geneva. These efforts met with a measure of success. As the talks continued at Geneva, an increasing number of Vietnamese troops fell victim to self-inflicted injuries, deserted singly or in groups (with their weapons), abandoned posts entrusted to them, or betrayed FUF positions to the enemy.**

There were other factors, too, that weakened the French bargaining position during the Conference. Early in June, the *Gloire* and the *Montcalm*, two French ships equipped for evacuation but not for offensive action, left France en route to Haiphong. And on June 18 the hardliner, Premier Joseph Laniel, was replaced by Mendes-France, a long-time advocate of peace through negotiations, who promised to achieve a cease-fire in thirty days or resign.

About a week before the self-imposed deadline, the French offered the Vietminh a plan for regroupment based on partition at approximately the 18th parallel. Provisional assembly areas were delimited as follows:

For French Union Forces: in North Vietnam, the "useful Delta" along the current battle line.

For Vietminh Forces: in Central Vietnam, Quang Ngai and Binh Dinh provinces; and in South Vietnam, the Ham Tan/Xuyen Moc region, the vicinity of Long-My, and the Camau Peninsula (areas already under Vietminh control).

In this proposal the only major assembly area offered to the Vietminh in Cochin China was Camau, from which their forces were to withdraw in 90 days. The entire final regroupment was to be completed in 380 days.

Aside from shifting the demarcation line from the 18th to the 17th parallel (a decision made by Mendes-France himself)* and a shortening of the period for final regroupment, the notable difference between the Geneva Agreement and the above French proposal was that the Agreement granted the Vietminh an additional large area in Cochin China along Cambodia's border (the Plaine des Joncs), and allowed the PAVN to hold the Camau Peninsula for 200 instead of 90 days.

When Should the Final Withdrawal Be Completed?

When the Conference opened, the French and their allies hoped that the FUF might hold the Tonkin Delta for an indefinite period after the cease-fire. But once the French had officially accepted the Vietminh proposal to partition Vietnam, the question of the deadline for regroupment of forces on either side of the demarcation line became a major issue.

Whereas the Vietminh wanted the French forces to withdraw rapidly to enable the DRV to consolidate its hold over North Vietnam prior to the all Vietnam elections in 1956, the French were interested in keeping the FUF in North Vietnam for as long as possible. This would enable them to deter a Vietminh resumption of hostilities after the cease-fire (and provide a foothold for allied intervention should this occur), to back-stop French economic negotiations with the DRV, and, ultimately, to permit a safe and orderly evacuation of French forces and equipment, of French and Vietnamese government property, of civilian refugees, and -- should economic negotiations with the DRV

fail -- of French industrial equipment as well. In fact, since a threat of removal of this equipment was credible only so long as the FUF remained to effect, or protect, the removals, its presence was essential until Franco/Vietminh negotiations were completed.

However, since the choice of a deadline for FUF withdrawal was linked by the Vietminh to the date for elections, and this, in turn, was a major bargaining point in negotiating for the line of partition, no agreement was possible on a withdrawal deadline until the other issues were resolved in the closing days of the Conference.

Initially, the Vietminh demanded that withdrawal be completed in 60 to 80 days, elections be held in six months, and the demarcation line be drawn at the 16th parallel.* By mid-July, they had conceded 180 days for regroupment and a maximum of one and a half years for elections. But the French insisted that they needed a minimum of 380 days to complete their withdrawals,** and wanted a two-year delay for elections and partition at the 18th parallel.

As part of the general last-minute bargaining process, when it was agreed that elections would be held in two years and partition would be at the 17th parallel, it was also agreed that withdrawal would be completed by May 19, 1955, 300 days from the date of entry into force of the Geneva Agreement.

It is doubtful that the date when North Vietnam would be free of French troops was selected capriciously. In view of the Vietminh predilection for scheduling political events on special anniversaries, we may assume that May 19 was chosen because it was Ho Chi Minh's birthday.

* Though the Vietminh insisted on partition at the 13th parallel at one point (immediately after the French defeat at An Khê), their basic bargaining line seems to have been around the 16th.

REGROUPMENT PROVISIONS IN THE GENEVA AGREEMENT^{*}

Under the terms of the Geneva Agreement the cease-fire was scheduled to move southward in three successive steps, becoming effective in North Vietnam on July 27, in Central Vietnam on August 1, and in South Vietnam on August 11, 1954, the deadline for a simultaneous cease-fire throughout Indochina (Art. 11).

The Demarcation Line and the Demilitarized Zone

The agreement divided Vietnam in two by a "provisional military demarcation line" (Art. 1). Beginning on the coast at the 17th parallel, it extended westward to the Laos frontier and eastward into territorial waters by a line perpendicular to the coast (Art. 4). Where the demarcation line (DML) coincided with a waterway, the waters were to be open to civil navigation of either party wherever opposite banks were controlled by the opposite parties. For these waterways, the Joint Commission (JC) was to establish rules of navigation (Art. 3).

A demilitarized zone (DMZ) "of not more than 5 kilometers" was to be established on either side of the DML (Art. 1, para. 3), and from this zone all military forces and materiel were to be withdrawn within 25 days of the entry into force of the Agreement (Art. 5).^{**}

The Commander-in-Chief of each party was responsible for civil administration and relief in his half of the DMZ, and for determining the number of persons (unarmed) assigned to these activities -- provided that this number did not exceed a figure to be set by the Trung Gia Military Commission (TGMC) or the Joint Commission.^{***}

^{*} For the text of the Geneva Agreement see: Miscellaneous No. 20 (1954), Further Documents Relating to the Discussion of Indo-China at the Geneva Conference, June 16-July 21, 1954, Cmd. 9239 (London: HMSO, August, 1954).

The Timetable of regroupment appears on page 26 below.

^{**} July 22 was the date of entry into force of the Agreement. All provisions became effective as of this date with the exception of those relating to the cease-fire itself (Art. 47).

^{***} It will be recalled that the TGMC functioned for several weeks after the Conference ended.

The latter was also responsible for determining the number of civil police allowed in the DMZ and the arms they might carry (Art. 8).

With the exception of the two supervisory bodies [the Joint Commission and the International Commission for Supervision and Control (ICC)],* no one was to cross the DML without authorization from the JC; and none was to enter the DMZ unless concerned with civil administration and relief in the area, or specifically authorized to enter by the JC (Arts. 6, 7, 9).

Provisional Regroupment

To ensure the safety of military and JC personnel during regroupment, each party was required to remove and neutralize its land and water mines and other dangerous devices within a period to be determined by the TGMC; to place markers wherever the task was incomplete; and to inform the JC of any military obstacles to its free circulation known to exist after the withdrawal of forces (Art. 12a).

Each party's regroupment into its provisional assembly areas, and the other party's provisional withdrawals therefrom, were to be completed within 15 days after the effective date of the ceasefire (Art. 15f, 1). To avoid clashes when the forces of one party were withdrawing by a route (road, rail, waterway) passing through the territory of the other party, the latter's forces were to withdraw temporarily three kilometers from either side of this route (Art. 12b, 2).

The three provisional assembly areas assigned to the FUF north of the DML (Hanoi-Haiduong-Haiphong) were contiguous, and were contained within a perimeter considerably smaller than that surrounding the Delta into which the FUF had withdrawn during the Conference.

The four provisional assembly areas assigned to the Vietminh

* Under Articles 31 and 32, the JC was to consist of an equal number of representatives from each of the two Commands, each delegation being headed by a general. Under Article 34, the ICC was to be composed of Canada, India, and Poland, with India presiding.

forces south of the DML were widely separated and covered about four times as much territory as the FUF areas.*

As another precaution against a resumption of hostilities, no troops were to be stationed less than 1500 meters from the lines delimiting the provisional assembly areas (Art. 15f, 1 sub-para. 3).

During the provisional regroupment, all islands south of the DML were to be evacuated by the PAVN, and all those north of the DML were to be evacuated by the FUF, with the exception of certain islands included in the Haiphong perimeter, which could be occupied by the FUF until the final withdrawal from that area (Art. 4, para. 2, and Art. 15f, 1 sub-para. 4).

From the date of the cease-fire in North Vietnam until the deadline for the final regroupment of forces north and south of the DML, civil and military aircraft were to follow air-corridors running from the FUF provisional areas in NVN to (a) the Laotian frontier and (b) the FUF zone south of the DML. The TGMC was responsible for determining the specifications and other matters relating to these corridors (Art. 13).

Final Regroupment

Within 25 days from the entry into force of the Agreement, the parties were to exchange plans for the transfer of their respective forces from their provisional assembly areas to their regroupment zones on either side of the DML (Art. 11, last para.). This final regroupment, to be completed within 300 days from the entry into force of the Agreement (Arts. 2 and 15a), was to be made in successive withdrawals "by sectors, portions of sectors, or provinces," and "in successive monthly installments proportionate to the number of troops to be transferred" (Art. 15b).

Military withdrawals from, and transfers of authority over

* See Appendixes I, II, III, IV. These maps, showing the approximate boundaries of the provisional assembly areas, are based on the general delineations given in the Annex to the Geneva Agreement. The maps referred to in the Agreement (Arts. 1 and 15f, 1 sub-para. 2) were not available to the writer.

the various provisional areas were to be completed in periods of 80, 100, 200, and 300 days (Art. 15f2).

Territory in provisional assembly areas was to be administered by the party there assembled until such date as all their troops had been withdrawn from that territory. From then on, such territory would "be regarded as transferred to the other party," who would assume responsibility for it (Art. 14b).

Transfers were to be effected in "successive stages for the various territorial sectors," and steps were to be taken to avoid a break in the transfer of responsibilities (Art. 14b) and to prevent hostile acts hampering withdrawals and transfers (Art. 15c). There was to be no destruction or sabotage of public property, no injury to the life and property of the civil population, and no interference in local civil administration (Art. 15d).

The movement of civilians residing in one zone who wished to transfer their residence to the other zone was also to be completed within the 300-day period allowed for military regroupment (Art. 14d).

Supervision of Regroupment

The JC was to "ensure the execution" of provisions covering the regroupment of forces (Art. 33b), and the ICC was to "control" (in the French sense of "to check or verify") the movement of forces effected "within the framework of the regroupment plan" (Art. 36a).

Both bodies were to make certain that steps were taken "to safeguard forces in the course of withdrawal and transfer" (Art. 15e).

With respect to the DML and DMZ, the JC was to station joint groups on the DML, their location to be determined "by the parties whilst taking into account the powers of the Joint Commission" (Art. 32, para. 2), which was responsible for ensuring observance of the DMZ and of the "demarcation lines between the regrouping zones."

The ICC was to "supervise the demarcation lines" and the DMZ (Art. 36b).*

*The term "demarcation lines" referred to the DML at the 17th

Timetable

An analysis of the Geneva Agreement, and of the available Protocols and Decisions subsequently signed by the parties, provides the following timetable for consecutive cease-fires, provisional regroupment, final withdrawals, and transfers.

parallel, and to the two parallel lines on either side of the DML that separated the DMZ from North and South Vietnam.

Table 1

TIMETABLE

(based on the provisions of the Geneva Agreement)

1954

July 20	Geneva Agreement signed
July 22	Geneva Agreement enters into force
July 27	Cease-fire becomes effective in NVN
August 1	Cease-fire becomes effective in CVN
August 11	Cease-fire becomes effective in SVN
August 11	Deadline for FUF provisional regroupment in NVN
August 16 (31 ^a)	Deadline for PAVN provisional regroupment in CVN
August 16 (26? ^a)	Deadline for military withdrawals from the DMZ
August 26	Deadline for PAVN provisional regroupment in SVN
August 26	Exchange of plans for the withdrawal of forces
October 10	NVN-Hanoi perimeter: FUF total withdrawal & transfer
	CVN-Quang Ngai-Binh Dinh: PAVN 1st withdrawal & transfer
	SVN-Ham-Tan-Xuyen Moc: PAVN total withdrawal & transfer
October 30	NVN-Haiduong perimeter: FUF total withdrawal & transfer
	CVN-Quang Ngai-Binh Dinh: PAVN 2nd withdrawal & transfer
	SVN-Plaine des Joncs: PAVN total withdrawal & transfer

1955

February 7	SVN-Point Camau: PAVN total withdrawal & transfer
May 19 (16 ^a)	NVN-Haiphong perimeter: FUF total withdrawal & transfer
	CVN-Quang Ngai-Binh Dinh: PAVN total withdrawal & transfer
May 19 (July 20 ^b)	Deadline for the movement of civilians from one zone to the other.

^a New deadline resulting from unpublished agreements of the Joint Commission. See below pp. 31, 73-74, and 78 fn.

^b New Deadline agreed to by the parties and the ICC.

III. PROVISIONAL REGROUPMENT

THE INTERIM PERIOD

On July 20, aware that a cease-fire was imminent, PAVN and FUF Commands agreed at Trung Gia to certain restraints in order to reduce military activity in the period between the signing of the Geneva Agreement and the effective date of the cease-fire. The terms, as reported by the French High Command to news correspondents, were the following:

- i. No large scale air, naval, ground, or river operations may be carried out in NVN by units of more than regimental or mobile group strength, or of greater than battalion strength with corresponding firepower.
- ii. Measures are to be taken immediately to halt all mine operations and sabotage of ground, river, or sea communications.
- iii. French Union Air Forces agree to:
 - halt bombardment and machine gunning in Vietminh zones, limit activity to support of ground troops guarding communication lines, and stop the use of napalm bombs;
 - use only one plane at a time in reconnaissance at a distance of no more than 25 kilometers from points held by French troops;
 - carry no transport north or northwest of the Hanoi-Haiphong line;
 - take measures to prevent evacuating troops from endangering lives and properties of the population, as well as industrial, cultural, and health installations and public works.*

Presumably this *quid pro quo* agreement offered advantages to both sides: The French could count on security within the Red River Delta (where the FUF admittedly could not defend simultaneously the perimeter, Hanoi, and the vital Hanoi-Haiphong supply line). The PAVN, in turn, could deploy its forces to take over promptly the areas that the French would rapidly relinquish during provisional regroupment.

* *The New York Times*, July 24, 1954. It is not clear whether this agreement applied to Central and South as well as to North Vietnam.

However, during the week between the signing of the Geneva Agreement and the cease-fire in North Vietnam, despite the commitments at Trung Gia, the Vietminh blocked the Hanoi-Haiphong line by blowing up a train, sabotaged strategic bridges and roads, exerted heavy pressure on Vietnamese militia posts to increase the desertion rate, ambushed FUF units, and launched attacks on strong points along the rim of the Delta, from which the FUF was preparing to withdraw.

When the French used artillery and bombing to repel these attacks, the Vietminh accused them of violating the TGMC agreement, to which the French replied that they were merely responding to Vietminh violations.*

Vietminh activity was not limited to the Delta: FUF posts near Dong Hoi and Tourane were attacked as were VNA (Vietnamese Army) posts in the South, five bridges were destroyed between Saigon and Nha Trang, railway ties were ripped up at Phan Thiet, and similar acts of sabotage and aggression occurred throughout Vietnam. The Vietminh seemed intent on strengthening old and acquiring new positions that would enable them to cut French routes of withdrawal should the cease-fire fail.

REGROUPMENT INTO ASSEMBLY AREAS

Though incidents continued after the three cease-fire deadlines, the provisional regroupment of forces was nevertheless accomplished without violation of the provisions in the Geneva Agreement that prohibited any "large-scale" offensive action and the commitment outside North Vietnam of French airpower based in that area (Art. 11, para. 4). However, according to the French Commander-in-Chief in Indochina, the operation "was without doubt the most delicate part" of the High Command's task.** The operation, not an easy one under the best circumstances, was all the more arduous because of the complete

** General Paul Ely, *op. cit.*, pp. 214-215.

overlapping of adversary forces, the difficulty in separating Vietminh combatants from noncombatants ("popular cadres" and guerrilla forces being indistinguishable from civilians), and the rush of tens of thousands of refugees toward French-held ports or into French provisional assembly areas in NVN, creating problems of food, shelter, and transport at the very time that the FUF was trying to regroup.

To relieve the pressure on Hanoi, the French began airlifting refugees to Saigon at the rate of 3300 daily. By the deadline for the FUF provisional regroupment in NVN (August 11), the French, according to their records, had moved 83,055 people to Free Vietnam: 49,858 from the Delta; 28,691 from Dong Hoi; and 4,506 from the PAVN assembly area in Central Vietnam. Of these, 46,936 were French Union Forces and dependents; the remainder were refugees.*

French Union Forces in NVN

With regard to the provisional regroupment of the FUF, according to General Cogny, Commander in Tonkin, the cease-fire covered 230,000 French Union troops in NVN: 100,000 members of the French Expeditionary Corps (of whom 25,000 were Vietnamese), 55,000 VNA, 30,000 auxiliary, 30,000 militia, and 15,000 regional guards. Of these, only about 30,000 were outside the FUF provisional assembly areas at the time of the cease-fire.**

It is not known what procedures were agreed to at Trung Gia, or if there was a signed agreement for provisional regroupment in NVN as there was for CVN. But in any event, by the August 11 deadline, French Union Forces, with one exception,*** had either moved into the

New York Times, July 28, 1954.

*** About 4,000 French-led guerrilla tribesmen in northwest Tonkin were trapped behind enemy lines near Pakha. In April 1955 the French denied DRV charges that they were continuing to supply and direct anti-Vietminh partisans. They claimed that no parachute drops had been made since the cease-fire, and charged the Vietminh with the ambush and massacre of a partisan column seeking to evacuate through Laos at the time of provisional regroupment, and with continuing to arrest and shoot others. The French asked for an ICC investigation. In 1956, the Vietminh claimed that they had killed

Hanoi/Haiduong/Haiphong areas, shipped out of NVN coastal ports, or, in the case of most Vietnamese para-military forces, had deserted and returned to their villages in NVN or mingled with refugees awaiting evacuation. The early outshipment of FUF troops and the high rate of desertions accounted for the fact that by the end of August, when the French submitted a plan for the withdrawal of their forces from NVN, they had only 132,000 troops still to be transferred.

PAVN Forces in Central Vietnam

Whereas in North Vietnam most FUF and VNA troops were in relatively close proximity to assembly or evacuation points, PAVN forces in Central Vietnam were spread over miles of rugged terrain from the 17th parallel to the borders of Cochin China. Accordingly, the PAVN High Command contended that the time allowed for provisional regroupment in Central Vietnam was inadequate and, furthermore, that thousands of PAVN troops scheduled to move into the PAVN assembly area in CVN (Quang Ngai/Binh Dinh) were actually closer to the DRV zone north of the DMZ, or to the PAVN assembly area in Cochin China (Ham Tan/Xuyen Moc), and should therefore move into one of these areas instead of regrouping in CVN.

To facilitate and hasten the PAVN regroupment, the French High Command agreed to review the situation, with the result that the initial understanding, signed at Trung Gia on August 11, was replaced two days later by *Decision 5*.^{*} This document spelled out new procedures

183 and captured 300 "enemy soldiers" (presumably French) and accepted the surrender of 4,336 tribesmen.

Saigon Tel., 4820, April 26, 1955; Command Papers 9461, para. 42 and 9654, p. 34, item 15; Bernard Fall, *op. cit.*, pp. 249-250.

^{*} The August 11 text is not available. *Decision 5*: signed by the Central Joint Commission at Trung Gia, 13 August 1954 (mimeographed, unpublished text). Though unable to secure a copy of *Decision 5*, the author was able to take copious notes on the text examined.

It may be worth noting here that a number of the FUF/PAVN Protocols and Decisions signed by the TGMC or the JC after signature of the Geneva Agreement -- and which related to implementation of that Agreement -- were not made available by the French to the GVN, or even to the ICC at the time.

that included the changes requested by the PAVN, and thus modified the Geneva Agreement by adding 15 days to the period allowed for the completion of provisional regroupment in Central Vietnam. It also extended the deadline for establishment of the DMZ in order to allow PAVN troops near the 17th parallel to move north into the DRV zone.

Following this change in the pattern of provisional regroupment, PAVN forces assembled in CVN totalled 42,700 -- according to PAVN figures.

Specifically, *Decision 5* stipulated that:

- PAVN forces located north of the Col des Nuages (about 16° 15'), at the time of the cease-fire, should withdraw north of the DML by August 26;
- PAVN forces located south of the Col des Nuages (within a specified narrow band from the coast to the Laos frontier) should move into the Quang Ngai-Binh Dinh PAVN provisional assembly area by August 26;
- PAVN forces located in regions of CVN from the southern limit of the above band to the frontier separating CVN from Cochin China should move into either the Quang Ngai-Binh Dinh, or the Ham Tan-Xuyen Moc, assembly area by August 31 -- the choice of the area to be determined by the Joint Sub-Commission with a view to meeting the deadlines for regroupment;
- Prolongation of the deadline for provisional regroupment in CVN would not alter deadlines specified in the Geneva Agreement for the PAVN's successive installment evacuations of CVN in 80, 100, and 300 days;
- The deadline for implementing provisions covering the DMZ was postponed to a date unspecified in *Decision 5*.*

* In the Geneva Agreement, the deadline for establishing the DMZ coincided with that for completion of provisional regroupment in CVN. Therefore, the DMZ extension probably coincided with that granted for the movement of PAVN forces across the DML -- i.e., an extension of 10 days: from August 16 to August 26. Three FUF/PAVN agreements on the DMZ are known to have been signed: *Protocol 7*, in early August; *Decision 6*, August 13; and *Decision 11*, September 15, 1954. The author has been unable to obtain copies of these agreements.

PAVN Forces in South Vietnam

PAVN forces in South Vietnam (in this context, Cochin China) had until August 26 to move into their three provisional areas. There appears to have been no extension of this period nor any dissatisfaction with the operations. According to the PAVN High Command, it regrouped 10,700 troops in Ham Tan/Xuyen Moc, 13,500 in the Plaine des Joncs, and 20,100 in the Camau Peninsula.*

SUPERVISION OF PROVISIONAL REGROUPMENT

There was, of course, no way of knowing how many Vietminh troops who should have moved into their assigned assembly areas returned, instead, to their villages, either voluntarily or on orders. Neither the FUF nor the ICC was equipped to ensure PAVN compliance with the provisional regroupment clauses. In its first interim report to the Co-Chairmen (for the period August 11-December 10, 1954), the ICC stated that it was "satisfied" that the relevant provisions of provisional regroupment had been complied with, and that "within 15 days after the cease-fire the forces of both sides had effectively withdrawn to their provisional assembly areas" -- a clear indication that even at that late date the ICC was still unaware that the parties had extended the deadline for regroupment in CVN.**

Whether the ICC was also kept in the dark regarding the parties' agreements affecting the DMZ is not known. However, it is certain that the ICC's published reports made no mention of these, or of the postponement of military withdrawals from the area. Further, the Commission noted in December 1954 that it had received no information from the JC about its rules of navigation of waterways that coincided with the 17th parallel.***

Although the Commission acknowledged that one of its "main responsibilities" was to supervise the DMZ, it also admitted that as

*Though the author has found no reference to a joint agreement on procedures for PAVN provisional regroupment in SVN, it seems reasonable to assume that such an agreement was concluded by the parties.

**Command Paper 9461, *op. cit.*, para. 42.

****Ibid.*, Appendix I, item 3.

of mid-December, four months after installation of the ICC in Vietnam, it was still unable "to establish any Mobile Teams in the demilitarized zone or near the demarcation line" because of pressures for other investigations. In fact, almost a month elapsed after the deadline for military withdrawal from the DMZ before the ICC was able to establish Fixed Teams in what it called "proximity" to the DMZ. These two teams were located 60 kilometers north (at Dong Hoi) and 170 kilometers south (at Tourane) of the DMZ.*

Though the Commission noted that neither party had reported a violation of the DMZ or a renewal of hostilities during the provisional regroupment period (or for several months thereafter), the GVN had, in fact, compiled -- and turned over to the French for transmittal to the ICC -- a list of Vietminh violations that included small-scale guerrilla attacks, Vietminh-led violent antigovernment demonstrations that obstructed civil administration, reprisal assassinations, and political subversion -- a pattern of Vietminh activity that was to continue and expand throughout the withdrawal period.**

* Command paper 9461, *op. cit.*, paras. 38-40.

IV. TRANSFER AND TRANSPORT PLANS*

The terms of the Geneva Agreement covering the transfer of forces provided nine specific deadlines for the withdrawal of troops and the transfer of territory -- three in NVN, three in CVN, and three in SVN. In all but two cases, these operations entailed the total withdrawal of one party's forces and the transfer to the other party of an entire provisional assembly area with precisely delimited boundaries.**

FUF Withdrawals and Transfers

NVN

Hanoi perimeter	80 days	Oct. 10, 1954
Haiduong perimeter	100 days	Oct. 30, 1954
Haiphong perimeter	300 days	May 19, 1955

PAVN Withdrawals and Transfers

CVN

Quang Ngai-Binh Dinh		
1st installment	80 days	Oct. 10, 1954
2nd installment	100 days	Oct. 30, 1954
3rd installment	300 days	May 19, 1955

SVN

Ham Tan-Xuyen Moc	80 days	Oct. 10, 1954
Plaine des Joncs	100 days	Oct. 30, 1954
Camau	200 days	Feb. 7, 1955

At Geneva, the parties had undertaken to exchange plans for the transfer of their respective forces within 25 days after entry into force of the Agreement (i.e., by August 26). Though they may have done so, they did not agree on plans and procedures until

*"Transfer plans" gave the total figures for military personnel and equipment to be transferred, and the monthly rate of withdrawal. "Transport plans" outlined the physical arrangements for each individual transfer.

** In the case of CVN, the Agreement failed to specify what territory was to be released by the PAVN in the 1st and 2nd installment withdrawals.

September 15, when the JC -- having moved from Trung Gia to Phu Lo, about 20 kilometers closer to Hanoi -- signed *Decision 12*.*

Attached as annexes to this Decision were the FUF and PAVN military transfer plans, an agreement on the conditions governing maritime transportation of PAVN troops by the FUF, and an individual transport plan for the first withdrawal of PAVN forces from SVN.

In the Decision itself, the two parties took note of their respective transfer plans (D-Arts. 1 and 2).**

Aware of the PAVN's very limited means of transport, the French undertook to transfer Vietminh forces, with the understanding that the PAVN would supplement French facilities with whatever means it could muster (D-Art. 3).

The French did agree to provide all maritime transport and to prepare a master transport plan for the evacuation of each PAVN provisional area, each plan being subject to the JC's approval (D-Art. 4). The details of execution were to be settled locally between the FUF Territorial General Staff and the Territorial Joint Sub-Commission, within the framework of both the overall and individual transfer plans. (D-Art. 6).

To enable the two parties and the ICC to supervise and control implementation of the transfer plan, the parties agreed to inform each other and the ICC, at the beginning of each month, of the volume of personnel and equipment to be transferred during that month. At the end of each month, they were to supply figures on the transfers actually effected. (D-Art. 5.)

The transfer plans submitted by the parties were notable in several respects.

With regard to personnel, the French plan gave only the total number of FU forces (as of August 31, 1954) to be transferred from North

[] * *Decision 12*: "Transfer of Troops of the French Union and of the People's Army of Vietnam," signed by the Central Joint Commission, Phu Lo, September 15, 1954. See Appendix V for a translation of the mimeographed, unpublished text.

** "D" indicates that the reference is to Articles of the Decision, not to those of the Geneva Agreement.

to South Vietnam (132,000), and the proposed monthly rate of withdrawal, beginning in September 1954 and ending in May 1955. Curiously, the Vietminh plan showed an almost identical number of personnel to be transferred from South to North (130,000). However, only 87,000 of these were listed as "combatants"; the remaining 43,000 were described as military dependents, recently released PWs, and "political cadres and people's cadres," also referred to as "cadres of the civil administration and of people's organizations." There was no numerical breakdown of these categories.

Although the Geneva Agreement called for transfers from one zone to the other in "successive monthly installments proportionate to the number of troops to be transferred" (GA-Art. 15b), only the PAVN plan adhered rather closely to this formula. The French rate of withdrawal ranged from a high of 37,000 in October to a low of 5,000 in December 1954. This lopsided rate of withdrawals meant that whereas the French were planning to withdraw 54 percent of their troops from NVN in September/October 1954, the Vietminh were planning to withdraw only 28 percent of theirs from SVN during the same period.

The wording of the Geneva Agreement further helped the Vietminh, for Article 15b did not require that monthly withdrawals be made from each provisional assembly area or in proportion to the number of troops in each area. Consequently, the PAVN was able to establish monthly quotas in such a way as to leave large numbers of troops and political cadres, for a prolonged period, in areas of greatest strategic importance to the DRV's objectives in South Vietnam. For example, under the PAVN plan, no Vietminh were to be withdrawn from Camau until November; and from the important Quang Ngai/Binh Dinh area, only about 16,000 of over 42,000 assembled there (almost 50 percent of all PAVN south of the DMZ) were to be withdrawn prior to February 1955.

Materiel to be transferred was also listed by both parties on the basis of monthly shipments. The French proposed to withdraw 154,743 tons of materiel, 37,000 tons of aviation equipment, and 16,000 vehicles. The PAVN plan called for a modest transfer of 8,944 tons consisting of "accompanied baggage" of combatants and others, heavy

equipment, 244 vehicles (including one tank) and 28 pieces of artillery (75s, 105s, and one 155).

Neither the French nor the Vietminh plan made any reference to transfers of either civilian refugees or civilian equipment -- two categories that were to become major problems in the withdrawal and transfer operations.

V. WITHDRAWALS AND TRANSFERS IN NORTH VIETNAM

When the ICC established its headquarters in Hanoi on August 11, 1954, and the cease-fire became effective throughout Indochina, it promptly recommended that the Joint Commission "prepare plans for orderly withdrawals and transfers, both of military forces and civil administration," and offered the assistance of its Mobile Teams "to guide and supervise these operations."*

To facilitate contacts with the ICC, the JC signed a protocol establishing FUF and PAVN liaison missions to the ICC. Under this agreement the PAVN Liaison Mission was admitted to Hanoi while the city was still in French hands, with the understanding that the FUF Liaison Mission would be permitted to remain in the city after the DRV took over (the GVN had several representatives attached to the FUF Mission).

Planning for an efficient and peaceful transfer of military and civilian authority in the tense situation existing in the Hanoi-Haiduong-Haiphong areas was, at best, a very complex matter. It was further complicated by the determination of the French to continue their economic and cultural activities in NVN and the opposition of the Vietnamese and U.S. governments to such a policy.

For different reasons, both the Vietminh and French governments wanted French management and technicians to remain on the job in NVN after the provisional assembly areas were transferred to the DRV. Lacking trained personnel, the Vietminh knew that they could not operate major utilities and industrial enterprises without foreign assistance. Furthermore, they realized that by retaining French management they could keep the costly industrial equipment that the FUF might otherwise evacuate. They could also expect the French to continue obtaining -- as Communist governments could not -- the supplies of U.S. fuel and spare parts needed to keep their industries operating.

As for the French, they not only wanted to protect their heavy investments (and their stockholders) but wanted to retain a

* Command Paper 9461, *op. cit.*, para. 45.

foothold in NVN, which they could do only by maintaining their economic and cultural position and presence.*

When Premier Mendes-France appeared before the French National Assembly to report on the results of the Geneva Conference, he took particular note of the DRV's own interest in maintaining economic and cultural relations with France, and of the "principles" that would govern these relations, as spelled out in a letter from Foreign Minister Pham Van Dong at the close of the Conference.**

Eager to determine how the DRV "principles" of collaboration would be put into practice, Mendes-France promptly appointed as French Delegate to NVN, Jean Sainteny, co-signer with Ho Chi Minh of the Franco/Vietminh Accords of 1946, and charged him with conducting economic and cultural negotiations with the DRV. After taking a census of French economic enterprises and cultural institutions in NVN to determine what guarantees they would require to continue operating under the DRV regime, Sainteny's team of experts began meeting with a team of DRV experts to try and hammer out a *modus vivendi* before the imminent transfer of the Hanoi perimeter.

TRANSFER OF THE HANOI PERIMETER

Privately Owned Utilities

Difficulties with the DRV immediately arose with respect to the transfer of utilities because essential public services such as water, power, and public transportation in Hanoi were owned and operated by private French companies (under charters valid until 1957), and private companies were not covered by the Geneva Agreement, though utilities were.

Pham Van Dong's letter had given assurances that private business would be "protected and respected"; commercial and industrial

* The French government's policy in this respect was widely supported in France, even by those who had strongly opposed the war and favored independence for Vietnam.

** Speech by Premier Mendes-France to the French National Assembly, July 22, 1954, *Vital Speeches Vol. XX*, No. 23, September 15, 1954, pp. 719-724.

enterprises could operate "without hindrance"; in cases of expropriation or "withdrawal of concessions," the "legitimate interests" of French nationals would be "taken into consideration"; no obstacles would be placed in the way of those wishing to leave the regroupment zone; and, finally, "all necessary measures" would be taken to enable French cultural institutions to function.*

However, when Sainteny's negotiators attempted to obtain written guarantees covering the specific terms that would implement Dong's five principles, the Vietminh stalled, and "multiplied their pleasantries without making any precise commitments,"** knowing that the French would find it increasingly difficult to dismantle and evacuate heavy equipment as the deadline for withdrawal approached.

To prevent the French from removing equipment while the talks dragged on, the DRV appealed to the ICC on the grounds that some of the largest French-owned companies were nonetheless "public" utilities, and, as such, were protected under Article 15d of the Agreement that prohibited destruction or sabotage of public property.

ICC Suggestions. To ensure that no break occurred in the supply of essential services, the ICC then suggested that the two sides adopt the following proposals:

All essential equipment for the running of these installations should be left behind.

Sufficient supply of coal for two months and spare parts and other equipment for two years should be left behind.

Although the Management of these firms would pass on to the Democratic Republic authorities, technicians and specialized personnel should be induced to remain, provided the Democratic Republic authorities would give necessary guarantees in respect of their persons and property.

* For the text of Dong's letter see Georges Chaffard, *Indochine: dix ans d'indépendance* Calmann Levy, Paris, 1964, pp. 115-116.

** Ely, *op. cit.*, p. 244.

Specialized personnel of the Democratic Republic could be invited to Hanoi so as to effect the change-over of these services gradually before the date of evacuation.*

Still the parties could not reach agreement.

As the DRV advance administrative detachments were preparing to enter Hanoi on October 2, the French and Vietminh experts finally exchanged draft protocols.**

French Proposal. In their proposal, the French offered to supply technical personnel to run the privately owned utilities, and furnish specialists for the French cultural and medical institutions. They also proposed formation of a Franco/Vietminh Commission that would approve the choice of French personnel and confirm their functions and individual tours of duty. In exchange, the French required assurances from the DRV that French personnel would be permitted to travel between North and South Vietnam, and to leave Hanoi upon expiration of their individual tours.

Vietminh Proposal. The Vietminh draft required the French to maintain installations essential to the operation of public services; guarantee the restitution or replacement of equipment evacuated or destroyed since signature of the Geneva Agreement; continue operating utilities under the existing French management; and ensure a sufficiency of fuel, raw materials, and spare parts for the continuing operation of all utilities.

In exchange, the Vietminh agreed that "within the framework of legislation of the Democratic Republic of Vietnam in this matter," the DRV would place no obstacle, in law or fact, in the way of French company technicians wishing to circulate between the regroupment zones for reasons of health, family, or profession. French-owned utilities would be granted facilities to obtain supplies, would suffer no discriminatory fiscal measures, and would be authorized to transfer profits. To find a solution satisfactory to both sides, the DRV would

* Command Paper 9641, *op. cit.*, para. 51.

** "Draft Protocols of the French and DRV delegations of Experts," signed by Lt. Cdr. Flichy and Tran Dinh Tri, at Phu Lo, on October 2, 1954 (mimeographed, unpublished text). Though unable to secure a copy, the writer was able to take notes on the text.

be prepared to examine -- *after* the transfer of Hanoi -- the conditions under which the utilities would operate.*

In view of the DRV's failure to give the specific guarantees requested, of the obvious loopholes in the assurances offered, and of the known plight of French businessmen who had remained in Communist China, French management refused to continue operating the utilities in Hanoi. The nine technicians who remained in the French-owned water, power, railway and streetcar companies, left within two months after the transfer of Hanoi -- well before the FUF withdrawal from NVN.

Provisions for the Transfer of Civil Administration and Public Utilities

While Sainteny's experts were negotiating about privately-owned companies, the two Commands were also drafting terms for the transfer of civil administration in Hanoi, including public services.

During this period, about 700 tons of equipment from public utilities (primarily from the Hanoi postal and telephone installations) were dismantled and shipped to Haiphong. The action was taken by GVN employees, assisted by French military personnel who were either unfamiliar with, or unsympathetic to, the Geneva Agreement, and who had received no special instructions from the French High Commission with regard to public utilities.**

In response to Vietminh complaints to the ICC that these removals violated Article 15d, French authorities contended that they were obligated to leave behind only enough equipment to enable public utilities to function at their "normal" level. Since they had removed only equipment that had been added to carry the heavier war-time load, they had committed no violation. However, when the ICC inspected the facilities and found that some removals did, in fact,

* After the transfer of Hanoi, the DRV demanded a majority position in ownership and management of private French industries, including those that did not fall into the category of public utilities. See pp. 59-69 below.

** Saigon Tels: 1026, September 5 (U), Secret; 1442, October 14, Secret; and 1509, October 20, 1954 (U), Secret.

Also see Ely, *op. cit.*, pp. 215-216.

jeopardize normal operations, the French agreed to restore the equipment removed -- a decision that deeply angered the GVN.

As a result of the ICC inspection, it was agreed that henceforth the two parties would -- in the presence of ICC Mobile Teams -- make an inventory of equipment and reserve supplies in each installation; "the adequacy of stocks left behind would thereafter be examined by the Democratic Republic authorities, and if they were found to be inadequate, the ICC would be approached."*

As the DRV advance administrative detachments were entering the Hanoi perimeter, the JC signed the agreement that was designed to effect the transfer of civil administration and public utilities in the Hanoi perimeter in such a manner as to ensure continuity and avoid destruction or sabotage of public property. In this document,** the following provisions were agreed upon:

The FUF Command would "take the necessary steps to ensure restitution of public property, essential to the functioning of the services, which may have been evacuated or destroyed since the Geneva Agreement entered into force" (P-A, 1b***).

The FUF High Command would transfer to the PAVN High Command all public utilities and properties in the Hanoi perimeter that were under French control, or under the control of national, regional, or municipal Vietnamese authorities. A nominal list of 154 such properties prepared by the FUF was attached to the Protocol as Annex I (P-A2).

For each installation transferred, both sides would sign a report to which individual inventories of equipment, buildings, personnel, archives, and current operations would be attached. The inventories would be subject to verification prior to signature of the report, which would include comments by the two parties under headings similar to those of the inventories (P-C1, 2, 3).

* Command Paper 9461, *op. cit.*, para. 50.

** Protocol 14: "Concerning the Transfer of Public Services and Property in the Perimeter of Hanoi," signed by the Joint Commission, Phu Lo, October 2, 1954. See Appendix VI for a translation of the mimeographed, unpublished text.

*** "p" in these references refers to the Protocol under discussion.

All transfer reports were to be signed on the eve of evacuation of each sector of the Hanoi perimeter, but the FUF remained responsible for the safety of the property until relieved by PAVN forces (P-C4). *

One week before the transfers were to begin, five DRV officials would be permitted to enter Hanoi daily to prepare for the subsequent arrival and installation of DRV advance administrative detachments, and thus avoid a break in the transfer of responsibilities (P-B, 4a).

DRV advance administrative detachments would consist of 485 DRV government employees, who would function under the supervision of a single DRV official (P-B2). **

The responsible DRV official was to keep in touch with the FUF representative responsible for handling all questions concerning administrative transfers and any problems relating to the detachments' mission (P-B2).

The mission of advance administrative personnel was limited to becoming familiar with the operations of the public services and making arrangements for their transfer (P-B1).

The administrative detachments were to enter each of the four sectors of the Hanoi perimeter in two installments: The first contingent, consisting of personnel assigned to the administrative services, was to enter Hanoi on October 2, eight days before the final turnover. The second contingent, consisting of personnel assigned to

* Apparently, this was a Vietminh-inspired precaution to avoid post-inventory destruction of property by the FUF.

** In PAVN lists attached to Protocol 14 as Annex 4, the Vietminh indicated the number of administrative personnel who would be assigned to 189 administrative services and buildings and to 62 buildings not connected with any service. Most locations were scheduled to receive 1 to 5 persons. Only a few places such as the police and security building, the radio station, and several hospitals were to receive from 10 to 20 persons. The discrepancy between the number of public properties on the FUF list (154), and the number on the PAVN list (251) was noted in Annex 4. It was agreed that no DRV administrative detachments would be assigned to 46 of these sites until a Joint Group had conducted an investigation to determine if these were public buildings.

public buildings not attached to any service,
was to make its entry on October 5 (P-B3).*

The French agreed to reserve a military hospital to house all DRV administrative detachments. Though the latter could bring some vehicles, the French undertook to provide the necessary transport facilities, and assumed responsibility for the safety of Vietminh personnel while in Hanoi and in transit. DRV administrative personnel were required to wear civilian dress and special insignia, and to carry a *laissez-passer* "of the type usually issued by the Joint Commission" (P-B2 and B4c). The detachments were authorized to make several contacts daily with their superiors outside the Hanoi perimeter, along approved routes, and under FU military police escort (P-B4). Protocol 14 made no reference to the role of the ICC, but under an earlier agreement the ICC was to have available two Mobile Teams specializing in administrative transfers to work with the Joint Commission.

Provisions for the Transfer of Police

Protocol 13, signed by the JC less than a week before the transfer of the Hanoi perimeter began, covered both the transfer of police and the military transfer of the area.**

The agreement specified that Vietminh advance police detachments would total 417 persons: 214 military police, 158 civil police, and 45 service personnel (interpreters, cooks, secretaries, chauffeurs, etc.) calculated on the basis of one man for 8 police (P-D2).

A limited number of PAVN military police, assigned to guard the interior of buildings housing the DRV advance administrative detachments, would enter Hanoi on the same day as the latter, i.e.,

□ * According to French Professor Tongas, who remained in Hanoi to run a private French school, all Vietminh advance detachments were brought into the city at night during curfew, to avoid demonstrations: Gérard Tongas, *L'Enfer Communiste au Nord Vietnam*, Nouvelles Editions Debresse, Paris, 1960, p. 67.

** Protocol 13: "Concerning the Military and Police Transfer of the Hanoi Perimeter," signed by the Central Joint Commission, Phu Lo, September 30, 1954. See Appendix VII for a translation of the mimeographed, unpublished text.

October 2. The remainder would not enter until October 8, one day before the transfer of the Hanoi city sector (P-C1 and D5).

Civil police would enter Hanoi on October 5 to prepare to take over the police headquarters and all police stations in the city, including furnishings, buildings, and files of regulations and current cases. Each police transfer was to be handled by a competent official at the level of precinct commissioner or above. Each transfer was to be the subject of a written report containing comments by both sides (P-D5 and C2, 3, 4).

The advance police detachments were to familiarize themselves with the operations of the various departments in order to take over without a break, but were prohibited from interfering in the police functions being performed by the FUF (P-D1).

The Protocol specified the type of arms and amount of ammunition that Vietminh military and civil police (but not service personnel) could carry, and required that they wear special insignia and carry orders issued by the Territorial Joint Sub-Commission of NVN (P-D3 and 4).

Though PAVN military police were not permitted to circulate in Hanoi, a chief of detachment or his liaison officer (unarmed) could contact other detachments, under FUF escort. Civil police could circulate (unarmed and under FUF escort) to transmit orders, or for internal liaison.

Also under escort, the Vietminh police detachments could make two daily contacts with the PAVN Command at a predetermined point within the 1500 meter DMZ around the Hanoi perimeter.

The PAVN agreed to provide 8 vehicles for its police detachments. And the FUF agreed to billet the police in those buildings that they would guard after the FUF withdrawal, and in separate quarters insofar as possible (P-D6).

Three charts attached to Protocol 13 listed the Hanoi installations where Vietminh police would be assigned. They gave the name, address, part and segment, number assigned on the area map, and the number of military and/or civil police to be sent to each location (P-Annex III, not reproduced).

Provisions for the Military Transfers

For the military transfer, Protocol 13 provided that the Hanoi perimeter be divided into four delimited sectors that were to be transferred successively on October 6, 8, 9 and 10. PAVN forces were to pass through designated points and take over three of the sectors in accordance with a schedule to be prepared by the JC, after consultation with the local Commands of each side (P-B1 and 2).

The fourth sector, to be transferred in accordance with detailed instructions attached to Protocol 13, comprised the city and suburbs of Hanoi. It was divided into two parts, each of which was further subdivided into six segments delimited by numbered lines on a map of the area. Along these lines, points numbered from P-1 to P-20 indicated where liaison officers of the two Commands (carrying identification flags of prescribed color and size) were to meet prior to transfer of a segment. These meetings were scheduled to take place from one hour (for the first segment) to 15 minutes before the actual transfer.

On October 9, at 0700, FU forces were to begin withdrawing simultaneously from the first segment of each of the two parts of Hanoi, continuing their withdrawals from successive segments at specified intervals, and completing the military transfer of the entire city and suburbs of Hanoi by 1730 hours (P-B3 and Annex I).

The area map of the Hanoi city sector also indicated, by number, the precise location of each installation to be transferred, at each of which FUF guards were to remain on duty until relieved by the PAVN. The condition of each installation was to conform to that described in the master plan, to which an inventory of each installation was attached (P-B4, para. 1).

Responsibility for the maintenance of law and order in each segment of Hanoi was to be assumed progressively by the PAVN forces as they took over step-by-step.

Military and civilian cemeteries were to be transferred like other installations, with the understanding that the PAVN would maintain them in their present locations until the JC concluded the special protocol provided for in the Geneva Agreement (P-B4, para. 2).

Wherever it had proved impossible to remove or neutralize explosive devices, the FUF was responsible for placing markers, alerting the PAVN relief guards, and giving the PAVN a chart of the mined area (P-B5).

Provisions for Supervision

In Decision 15, the JC spelled out its own supervisory role with respect to the transfer of the Hanoi perimeter.*

To ensure implementation of the terms of Protocol 13 (covering the military transfer), the JC agreed to assign a number of Joint Groups (JG) to control the transfer of each of the four sectors, the number varying according to the sector.

The JC would be responsible for ensuring that liaison officers of the two sides met at the points and hours specified, and that the two sides both respected the demarcation lines of sectors and segments until the moment of transfer, and adhered to the timetables for the entry and withdrawal of forces.

In order to resolve any conflicts that might arise in interpreting or implementing Protocol 13, the Joint Commission decided to leave Phu Lo and move closer to the transfer operations. It arranged to meet at Bach Mai airport (north of Hanoi) on October 6, 7 and 8; at the JC Control Station in Hanoi on October 9; and at Gialam airport (northwest of Hanoi) on October 10, the deadline for the final transfer (D-I).

In addition to providing Joint Groups to control the transfer operations in the four sectors, the JC decided to have at its disposal in Hanoi four additional Groups. Two would be available from October 2 to assist the experts of both parties who were handling the transfer of administrative responsibilities. The other two would be on hand from October 5 to resolve any incidents that might occur in connection with the transfer of municipal and military police (D-II).

* Decision 15: "Covering the Control of Operations for the Transfer of the Perimeter of Hanoi," signed by the Central Joint Commission, Phu Lo, September 30, 1954. See Appendix VIII for a translation of the mimeographed, unpublished text.

Presumably to keep incidents to a minimum, the chief of the advance detachments of DRV civil and military police, and the responsible FUF authority were to meet at Phu Lo on October 4, two days before the transfer of the Hanoi perimeter was scheduled to begin (D-III).

In addition to supplying joint control of the transfer operations, the JC agreed to ask the ICC to have in readiness five Mobile Teams specializing in questions dealing with the transfer of police (1 Team); administrative transfers (2 Teams); and territorial transfers of the city of Hanoi (2 Teams). These ICC Teams were to ensure, if necessary ("le cas échéant"), supervision of the transfer operations of the Hanoi perimeter, working closely with the specialized Joint Groups (D-IV).

Withdrawal and Transfer

Both military and civilian withdrawals from Hanoi began before the Geneva Conference ended. With the signing of the Agreement, the tempo of evacuation rapidly increased. Military convoys and vehicles of every type, loaded with equipment and supplies, dismantled machinery, business inventories, and personal effects clogged the sixty-mile road to Haiphong where troops and dependents, refugees and cargo were being shipped to South Vietnam aboard French Navy vessels. In mid-August, at the request of the GVN, 12 ships of the U.S. Amphibious Forces in the West Pacific joined in the evacuation of civilians in what became known as "Operation Freedom." To relieve the pressure on Hanoi, where 25,000 had sought refuge from outlying districts, plane loads were leaving Gialam airport at the rate of 60 a day for Saigon, Tourane, and Nhatrang.

Unwilling to wait until the October 10 deadline for fear of being left behind, GVN and Hanoi municipal employees abandoned their posts and fled by air or joined the flow of refugees streaming toward Haiphong. By mid-September, Hanoi public utilities were [] seriously understaffed. The GVN's newly appointed Administrator for North Vietnam, Le Quang Luat, whose task it was to coordinate GVN evacuation plans with those of the French, was soon left with only

a handful of loyal assistants who, fearful of Vietminh assassination agents, carried arms and constantly changed their place of residence in the city.

In a particularly vulnerable position vis-à-vis the Vietminh, and lacking a firm guarantee from the French that they and their families would be evacuated if they remained at their posts until the end, most of Hanoi's municipal police (Vietnamese) also deserted and fled.*

As the rate of desertions, defections, and acts of treason and sabotage increased among Vietnamese troops, the French Command substituted Foreign Legion, African, or French troops for the Vietnamese sentries guarding such vital points as military installations, public services, and communication lines.

By the beginning of October, the last vestiges of French and GVN civil administration, the staff of the French Commander in NVN, the Civil Air Transport planes based at Gialam, the large French business community, and about 100,000 residents of Hanoi, had left the city. French sources estimated that in addition to the ICC staff and the French personnel who had agreed to continue operating briefly the Gialam airport for the ICC, only about 100 occidentals remained in the Hanoi perimeter. These included 7 staff and 23 service personnel of the Sainteny Mission, 2 French professors, 9 French technicians, and 12 French businessmen. The remainder were clergymen, correspondents, and members of the consular corps, of whom 7 were Americans.**

* According to a *New York Times* report (July 21, 1954), three months before the end of the Geneva Conference French authorities had prepared contingency plans for the emergency evacuation from Hanoi of 28,000 civilians for whom they felt a special responsibility: 10,000 French subjects (including 2,000 from metropolitan France), and 18,000 Vietnamese who, if Hanoi came under the Vietminh, would be in personal danger because of having worked for, or been closely associated with, the French.

What categories of personnel were included in this earlier planning is not known, but certainly after the Conference the French did everything possible to evacuate all those who wished to leave NVN.

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The author visited Hanoi briefly during mid-September 1954 and

As the date for the transfer of Hanoi approached, thousands of residents who had planned to remain after the Vietminh takeover, but who apparently feared disorders during the transition period, deserted the city and took refuge in the countryside. In the city, shops and homes were boarded up and Hanoi waited under martial law, while French troops and tanks patrolled the streets to deter demonstrations, acts of violence, and sabotage.

Little is known about the transfer of the first two sectors of the Hanoi perimeter on October 6-8. Armed PAVN units moved into the sectors in battle formation, and 100 troops took over the Bach Mai airbase, which had been stripped by the French of everything movable, including the metal link runways.

That same evening, advance detachments of PAVN military police entered Hanoi in accordance with the terms of Protocol 13 and, as a precautionary measure, the French Command imposed a 24-hour curfew on the city (from 2000, October 8 until 2100, October 9).

The military transfer of Hanoi began at 0700 on October 9. Eyewitnesses reported that the relief of FUF troops by PAVN troops operated with the precision of clockwork. As PAVN troops moved into each delimited segment of the city, cadres posted instructions to the population, which included notification that the curfew would remain in effect until the following morning.

The Vietminh took immediate advantage of the curfew to conduct a very effective census of the inhabitants. As PAVN troops advanced into each street, a detail dropped out, made a house-to-house check, and posted a list of inhabitants in each dwelling, retaining duplicates for the DRV's files.*

Throughout the day, PAVN cadres on bicycles and in loud-speaker trucks circulated through the city announcing the ten rules of conduct that were to govern the behavior of PAVN troops in Hanoi.

met with members of the Sainteny Mission and the French Liaison Mission to the ICC.

* This operation provided the DRV with a valuable record for later use in issuing ration cards, drafting men for military or labor service, checking on strangers in the city or on the whereabouts of absentee residents.

Presumably the announcements were designed to relieve the anxiety of the inhabitants as much as to remind the troops of their obligations.

According to the instructions, troops were

- required to carry special certification issued by the DRV civilian authorities
- ordered to avoid damaging public property and buildings
- prohibited from making arbitrary arrests without warrants, except for overt acts against the government
- compelled to register all property confiscated from French or Vietnamese inhabitants
- cautioned against displaying arrogance or bossiness toward the people
- forbidden to enter homes without permission
- required to respect private property
- prohibited from entering hospitals, schools, museums, churches, and temples
- prohibited from shopping (for a specified period) to prevent inflation
- prohibited from drinking alcoholic beverages, playing cards, or indulging in "dissolution in general."*

ICC Teams, circulating to observe the transfer of each segment, were cheered by the crowds and troops. However, both Canadian and Indian officers were annoyed and embarrassed by the fact that PAVN vehicles closely escorted the ICC jeeps throughout the transfer, giving the impression -- intentionally, they believed -- that the ICC was supporting the installation of the DRV regime.**

By the prescribed deadline (1730 hours), French forces had withdrawn from Hanoi into the fourth sector of the Hanoi perimeter, the Gialam area, to which the JC had moved temporarily to observe the transfer at close range.

On October 10, as the French were withdrawing from this final sector, PAVN troops began entering Hanoi in force. Chosen to make

* *The New York Times*, October 10, 1954.

** From comments made to the author at the time of the events described. For further information on Vietminh attitudes toward the ICC during the 1954-1956 period, see the writer's study: Anita Lauve,

this historic entry were the victorious troops from Dien Bien Phu, including the "Hanoi Regiment." Foreign observers generally agreed that the troops were well disciplined and presented an excellent appearance.

But though the streets -- flag and slogan-bedecked overnight -- were crowded with spectators, there was apparently no delirious enthusiasm of a people welcoming its liberators. There was a wary curiosity and some spontaneous cheering, but the noisier demonstrations showed a "high degree of organization and direction," with a claque in the PAVN ranks and among the spectators exerting themselves to keep the applause going.*

Large numbers of troops and police were stationed throughout the city, but circulation was unrestricted for Vietnamese and foreigners alike.

The three ICC Commissioners cruised through the streets to observe the situation, and later, as guests of the Hanoi Military and Administrative Committee, attended the DRV flag-raising ceremony at the Hanoi citadel.

Ho Chi Minh did not enter Hanoi until later, but he broadcast a speech to the people in which he urged them to work hard in order to build "a peaceful, united, independent, and democratic Vietnam," and exhorted them to participate widely in discussion with Army and Resistance cadres, in accordance with the instructions of the Hanoi Military and Administrative Committee. Apparently to encourage French industrialists to remain in NVN, he promised to help and protect foreigners, and urged them to continue their activities as in the past.**

There were apparently no complaints from either side with respect to the final transfer of the Hanoi perimeter. General Ely later wrote that the transfer was effected without any serious incidents, and "with a great deal of dignity and order."***

*** Ely *op. cit.*, p. 216.

In describing the operation, the ICC reported that:

The town and its suburbs were transferred sector by sector under the supervision of the Commission's Mobile Teams and not a single incident occurred during this operation . . . as in the case of military withdrawals and transfers, the transfer of civil and administrative services, public buildings and public offices, and essential public services was carried out successfully by the two parties.*

TRANSFER OF THE HAIDUONG PERIMETER

On October 30, twenty days after withdrawing from Hanoi, the FUF withdrew from the Haiduong perimeter and transferred it to the DRV. Almost nothing is known of this transfer, which was apparently uneventful.

In its report to the Co-Chairmen, the ICC noted that the arrangements adopted for the transfer of civil administration and public services in Hanoi had been "equally successfully applied to the transfer of the Haiduong perimeter." It recommended to both parties that they follow a similar procedure for the transfer of all remaining areas, because the successful transfers of Hanoi and Haiduong proved that orderly transfers "could only take place if the parties cooperated in the process and, well in advance of the deadline, held joint discussions and agreed upon an integrated plan of withdrawal and transfer."**

Commenting on the status of regroupment after the transfer of Haiduong, and the responsibility the ICC shared with the JC for ensuring that steps were taken "to safeguard forces in the course of withdrawal and transfer" (Art. 15e), the Commission reported that its Mobile Teams accompanied the withdrawing forces in accordance with detailed plans worked out by the JC. Though it admittedly took no active steps to safeguard the withdrawing forces, the ICC considered that its very presence was "some safeguard,"*** as undoubtedly it

* Cmd. 9461, *op. cit.*, p. 15, para. 47, and p. 16, para. 52.

** *Ibid.*, p. 16, paras. 53-54.

*** *Ibid.*, p. 32, Task and 17.

was. However, the greatest safeguard was the fact that both sides wished to avoid a resumption of hostilities.

For the French, the orderly transfer of Hanoi and Haiduong offered a precedent for their final, and potentially more dangerous, withdrawal from Haiphong. Furthermore, it established a pattern of cooperation with the Vietminh that might conceivably be repeated in the continuing Franco/Vietminh economic and cultural negotiations.

For the Vietminh, an orderly transfer offered the possibility of taking over their capital undamaged by war, and of assuming military and civil control in a smooth, efficient manner that could (and seemingly did) favorably impress the inhabitants, the ICC, and foreign observers.

TRANSFER OF THE HAIPHONG PERIMETER *

Complexities of the Transfer

Despite the experience of jointly drafting and successfully implementing detailed plans for the transfer of the Hanoi and Haiduong perimeters, more than five months elapsed after the French withdrawal from these areas before the two sides were able to agree on terms for the transfer of the Haiphong enclave, the third and final French provisional assembly area in North Vietnam.

This transfer was more complex -- and potentially more dangerous -- than that of Hanoi: The area had to be divided into eleven rather than four sectors, and the timetable (from the entry of advance detachments until the takeover) was spread over twenty-nine rather than nine days. Furthermore, to resolve disputes over public utilities, the ICC was obliged to establish detailed guidelines, set up a special Ad Hoc Committee, conduct 20 pre-transfer inspections, and supply 10 Mobile Teams for the transfer operations. Also, Vietminh advance detachments had to be increased over those for Hanoi by the addition of 80 administrative cadres, 42 civil police, 464 military police, and 28 PAVN officers.

* See p. 76 for a schedule of the transfer.

Some of these complexities were, of course, inherent in the very nature of the operation, for in addition to the transfer of military installations and the civil administration in several towns, the operation involved the transfer of large industries and port facilities, the evacuation of all remaining refugees, retention until the deadline of an unduly large number of French troops to safeguard the withdrawals, and the transfer of some of these troops to an off-shore island before they could be shipped out.

Yet it was not the planning of these operations, complex as they were, that delayed signature of the transfer protocols, caused controversy and violence, and aroused French fears for the safety of their troops.

The major problems resulted from the attempts of the DRV to retain equipment that the French were not required, under the Geneva Agreement, to leave behind; and from the conflict between France's commitments to the United States and GVN to remove surplus and U.S.-aid equipment, on the one hand, and its need to remain on good terms with the DRV in order to protect French investments in NVN, on the other.*

Had the French government been able to negotiate with the DRV without regard to either the views of its allies, their potential power of retaliation, or their control of strategic materials, it would have been willing to leave more equipment in North Vietnam than required in order to reach a favorable economic agreement with the DRV. But the French found themselves in a difficult situation because they could not disregard their allies, whose goodwill and assistance they needed. If they complied with DRV demands not to remove surplus equipment, they risked sabotage of this equipment by GVN employees prior to withdrawal. They would also be courting the anger and retaliation of the South Vietnamese against French investments that were much greater, and against French nationals who were more numerous, in South than in North Vietnam. Moreover, if they failed to evacuate U.S.-aid equipment,

* Actually, French investments in NVN were only part of the picture. Since the French believed that the DRV would take over all of Vietnam after the 1956 elections, they wanted to remain on good terms with the Vietminh to protect their interests throughout Vietnam.

which they had pledged to keep out of Vietminh hands, they could expect deep U.S. resentment and a probable cut in U.S. funds for French forces in Indochina. On the other hand, if France did its utmost to meet its commitment, it might have a better chance of persuading the United States to make two major exceptions: allow the French coal mines in NVN (the Charbonnages du Tonkin) to retain modern U.S. mining equipment, and supply strategic materials to companies that the DRV wanted the French to operate.

However, both the GVN and the United States simply wanted equipment removed from North Vietnam. They were not interested in supporting France's policy of economic coexistence with the DRV, a policy that was anathema to both governments because it promised to bolster North Vietnam economically and politically, and thereby undercut South Vietnam.

Yet the French persisted in trying to reconcile the irreconcilable, until they could delay no longer in reaching agreement with the DRV on terms for the transfer of Haiphong.

Directive to the French Commander in NVN

At the end of November 1954, General Ely issued a directive to his Commander in NVN, General Cogny, giving him full military and civil authority in the Haiphong enclave. The purpose of this directive was twofold: to prevent a repetition of the removal of equipment from public utilities, in violation of the Geneva Agreement, that had occurred in Hanoi; and to centralize authority in the enclave to facilitate prompt action when needed, and to avoid chaos during the final days of withdrawal.*

The directive provided guidelines for dealing with French, Vietnamese and Vietminh authorities, and for the handling of private property, public utilities, and U.S. military property. Cogny was to assume immediate responsibility for all French military and civil activities in the enclave. February 1 was set as the deadline for the evacuation of French citizens, who were to be told that beyond that date

their security could not be assured by the FUF. Cogy was instructed to allow the GVN civil administration to function as long as possible, but to be prepared to take over if it disintegrated (as it had in Hanoi). In any case, he was to prevent acts of violence and sabotage.

In his dealings with the DRV, he was further instructed to settle differences by negotiation because of the precarious situation of the French in Haiphong.* In negotiating, he was to use as bargaining power the ability of the French Command (a) to take, or leave behind, French technical equipment in the Haiphong port; and (b) to give Hanoi, or deny it, the coal, cement and petroleum it needed, and could obtain only through Haiphong at that time.

With regard to private enterprises, Cogy was told to exert no pressure on owners to stay or leave NVN. He was to offer assistance, but to set a deadline for the outshipment of equipment so as to avoid bottlenecks.

Since the French Government did not oppose the sale of private property to the DRV, Cogy was not to concern himself with nonstrategic private property left behind -- with the exception of coal, which was to be the subject of a special instruction.**

As for public utilities, they were to be turned over to the DRV in "normal" running order, in accordance with the Geneva Agreements. French officers and observers were to be stationed in these utilities, and French forces were to guard all public properties and port facilities against sabotage.

To determine what equipment was to be left behind as "essential" to the normal functioning of services, the French decided to inventory all public property and services in the Haiphong area. Apparently to deter GVN sabotage, they made the inventory in the presence of GVN officials.

* By then, the French had withdrawn all but 44,000 troops from NVN. In addition to these forces, there were an estimated 8,000 French nationals in the enclave.

** In the Charbonnages du Tonkin the French had an investment of 15 to 20 billion francs, plus two million dollars worth of U.S.-financed heavy mining equipment.

Cogny was told to see that French and GVN authorities jointly inspected all outshipments, which were to include all U.S.-financed civilian equipment.*

Presumably to reassure the DRV and the ICC, as well as the GVN, Cogny was instructed to leave an inventory with the French delegation to the JC before the final French withdrawal. This inventory was to show what public property had been left behind and what had been shipped out. (These instructions were later supplemented by the ICC's "suggestions" that required the French to submit to the ICC, well in advance of outshipment, a list of equipment they proposed to remove from public utilities.)

Cogny was instructed to stockpile and sell or destroy military equipment in NVN of no further value, with the exception of U.S. equipment, all of which was to be shipped out -- an order that Cogny reportedly followed explicitly.

Removals of Public and Private Equipment

The Franco/Vietminh economic agreement, signed in Hanoi on December 10, 1954, contributed nothing toward resolving the French government's quandary in North Vietnam. Since it contained all the pitfalls apparent in the earlier DRV proposal (pp. 55-56 above), plus the added possibility of DRV participation in French companies, it was totally unacceptable to French businessmen who would have to live under it. According to them, the DRV goal was to dissuade them from dismantling their plants and compel them (under the terms of the agreement) to furnish additional capital for Communist plants, and teach the Communists how to run them. The agreement merely added to the ambivalence of French policy in Vietnam that irked the U.S. and GVN, while failing to satisfy the DRV.

* The French were deeply concerned lest the GVN sabotage utilities in NVN and thereby prejudice French negotiations with the DRV and provoke an uprising against the French, who would be held accountable by the Vietminh for the damage.

Within a few days after signature of the accord, General Ely notified the ICC that France planned to evacuate from Haiphong all material that had "originated in South Vietnam," a part of the "national reserves" located in North Vietnam, and all U.S.-aid equipment which, he contended, was only "on loan" and therefore should and could (under the Geneva Agreement) be returned to the U.S.

Such a position was bound to elicit questions from the ICC, as well as the DRV. In response to such queries, Ely reassured the ICC that public utilities would, "in principle," be wholly transferred to the DRV.

When this letter came to the attention of GVN authorities, they were convinced that they were being double-crossed. They claimed that the French had promised the GVN to leave in North Vietnam only the "minimum" required for the operation of public utilities. Moreover, they contended that as the GVN was the only legitimate government of Vietnam -- and so recognized by the French -- it owned all government property throughout Vietnam. Furthermore, if equipment removed from public utilities in NVN did, in fact, prevent operations at the normal level, it should nevertheless be retained by the GVN as rightful compensation for all the government equipment that had been left behind when French forces had withdrawn, without warning, from the Tonkin Delta, or had been forced out of other areas by PAVN attacks.*

United States authorities attached particular importance to the removal of U.S.-financed equipment in public utilities because they were aware that Congress and the U.S. public would react strongly should it be left behind for Communist use. Consequently, in informal conversations with ICC personnel, they supported General Ely's contention that such equipment had been furnished to the French solely

U * Saigon Tel. 3093, January 31, 1955. It was not until six weeks later, and after a great deal of acrimony that the GVN/French dispute was resolved through direct correspondence between General Ely and President Diem.

to augment the level of services during the war and therefore could legitimately be removed.*

However, though French authorities had promised the GVN that they would remove nonessential equipment from public utilities in NVN, and had assured the U.S. that they would specifically evacuate all U.S.-aid equipment, they had not reached agreement with the Vietminh on what constituted "essential" equipment in public utilities, nor, for that matter, on what enterprises in the Haiphong area were to be considered "public."

When the French began dismantling some equipment late in 1954, Vietminh complaints to the ICC revealed that the DRV was claiming that *all* equipment in public utilities was "essential," and that private industries, such as cement and coal, were also to be considered as "public" utilities because they employed thousands of workers and were vital to the general welfare.

After several Vietminh strikes and protests, the situation became so tense in the enclave that on January 10, 1955, the ICC called a meeting with the parties, in Hanoi, to discuss the evacuation of French industrial equipment. At this meeting the French asked the ICC to approve a memorandum giving France the right to remove certain itemized equipment, and to send a Mobile Team to Haiphong to ascertain that only the equipment specified was being removed.

The ICC demurred. In the absence of the Chairman and the senior Polish delegate, the Indian and Polish alternates refused to make a decision, noting only that the ICC "might" send a Team on January 16, after the Chairman returned.

Aware that their proposals were within the terms of the Geneva Agreement, and fearful of transportation bottlenecks, or of being unable to evacuate U.S. equipment should they delay further, the French decided to go ahead and remove the equipment. At this point the Hanoi press

*Saigon Tel. 3132, February 2, 1955. The U.S. actually urged the French to remove all labor-saving equipment (of U.S. or other origin) that would help the Vietminh if left behind, and that could be removed without violating the Geneva Agreement.

called on Haiphong workers to strike and demonstrate, which they did. The French, while responding with a complaint to the ICC that the DRV was instigating civil disturbances in violation of Article 15c, continued the evacuation, which was completed one day before the ICC Chairman's return.* Though annoyed by failure of the French to await an ICC decision, the ICC approved the removals *post facto*.

The Vietminh then resumed their tactics of intimidation and violence, sending *agents provocateurs* from Hanoi to Haiphong by rail to foment strikes and protest marches whenever the French began dismantling important equipment.** A major clash occurred late in January 1955 when French military and Vietnamese police fought with several hundred demonstrators attempting to oppose the legal removal of generator sets of French military origin from the local Haiphong waterworks. About ten demonstrators were injured and seventy arrested. The Vietminh carried their protests, and their wounded, to the ICC office in Haiphong.***

The dismantling of the generators was temporarily discontinued, and General Cogy issued new orders requiring full information on goods to be removed, including weight, size, location, destination, time of removal, and *anticipated local reaction*. Though Cogy had been instructed by Ely to protect the removal of private equipment, Paris had also insisted that he avoid bloodshed, a rather difficult feat under the circumstances. Privately, Cogy admitted that all equipment should have been removed prior to the reduction of the French forces to their February 1955 level (33,000, as opposed to 132,000 when the FUF and PAVN had exchanged withdrawal plans in September 1954). He

*
** Surprisingly, trains between Vietminh-held Hanoi and French-held Haiphong were still running with only cursory security checks of passengers. It was not until three weeks before the evacuation of Haiphong that the JC assumed responsibility for regulating rail traffic between the two cities.

frankly expressed fear that should he begin dismantling U.S. equipment in the mines at Hongay and Campha, the Vietminh would instigate riots which the depleted French forces would be unable to control.*

French fears mounted when the U.S. insisted that Stanvac tanks in the Haiphong enclave be either removed or destroyed. In response to an official U.S. *démarche*, General Ely noted the great difficulty that the French were encountering in removing hydroelectric equipment belonging to a private French company in Haiphong, and emphasized the increasing danger of bloodshed -- a danger that he anticipated would increase with the approach of the deadline for withdrawal. He pointed out that the death of even a few Frenchmen in the process of removing equipment "would be politically totally unacceptable in Paris."

Subsequently, the Stanvac representative was told that the French army could not undertake the dismantling or destruction of the tanks because it had no specialists or appropriate equipment for the job. Furthermore, such action by French military personnel might be interpreted as sabotage (or at least "wanton destruction"), would produce a bad effect on the ICC, and might also create a great deal of difficulty in the Haiphong area where the French had limited forces. Though General Ely agreed to provide maximum protection should Stanvac wish to do the job itself, he pointed out that if, instead of destroying the facilities, Stanvac were to abandon them -- stripped of fittings and thus useless to the DRV -- the French might be able to avoid Vietminh interference in the evacuation of expensive and important military equipment still in the Haiphong enclave.

Stanvac then informed U.S. officials that it had no funds to dismantle the facilities and no buyers for scrap; that it was too late to effect the destruction by its own means; and that such action would, in any case, be prejudicial to its staff and personnel.**

** Saigon Tels. 3037, January 30; 3276 February 8, 1955. The company representative turned over the keys to the Stanvac installations to the U.S. consul in Hanoi, Thomas A. Corcoran, who was never permitted by the DRV to visit the site. When the U.S. Consulate closed down in December 1955, Corcoran turned over the keys to the British consul.

ICC Position on Removals: The increasing tempo of strikes and violence in the Haiphong perimeter and the flood of DRV protests to the ICC prompted the latter to draft detailed "suggestions to the two High Commands for the orderly transfer of public services in Haiphong."*

Unlike ICC "recommendations," ICC "suggestions" were not mandatory. Nevertheless they carried weight because the ICC often transformed its suggestions into recommendations. In this particular case, most of the suggestions, initially drafted by the ICC in January and issued to the press on February 11, were eventually incorporated by the parties in the JC's protocols for the transfer of Haiphong. The suggestions covered the following topics:

i. Public Property and Private Enterprises of Public Utility.

The ICC defined as "public property" institutions and property belonging to the State or municipality (marginal cases were to be decided by the ICC); public utilities managed by the State; files and documents required for the effective operation of such utilities (including files on current work, but excluding personnel files of employees leaving Haiphong, and police records).

Article 15d of the Geneva Agreement was interpreted as applicable to "private enterprises of public utility," specifically to waterworks, power plants, railways, ports, and airports. The removal of "military equipment" in use in any of these services would be permitted, subject to:

--Article 14b which required the withdrawing party to give adequate notice to the other party, and required the latter to make advance arrangements to prevent a break in the transfer of responsibility;

--Article 15d, which prohibited destruction or sabotage of public property or injury

* Command Paper 9461, *op. cit.*, Appendix II, pp. 51-52.

to the life and property of the civil population, or interference in local civil administration;

--the ICC's own elaboration of Article 15d, which prohibited any destruction or removal of public property that would, "by interruption of public services or definite lowering of their standards, or in any other way, result in injury to the life and property of the civil population or interference with the local civil administrator."

- ii. Staffing. In providing for continuity, the French were responsible for ascertaining which staff members working in public utilities wished to leave Haiphong, and for notifying the other party so that it could make advance arrangements to replace them.
- iii. Reserve Stocks. There were to be "no hard and fast rules" regarding the quantity of spare parts that the French must leave behind.* Where previous contracts specified amounts, these would be used as a basis for discussion. In other cases, the parties would determine the quantities after examining each situation. If there was disagreement, the ICC would make the decision. Thereafter, the evacuation of all other parts "should be allowed without any restriction."
- iv. ICC Approval of Inventories. To avoid further controversy and the recriminations that had followed the evacuation of material from Hanoi, the ICC assumed a role that it did not have during the earlier transfer. French authorities were asked to submit to the ICC, by February 1, 1955, complete inventories of public properties and services showing what they proposed to leave in Haiphong

* During the transfer of Hanoi, French and GVN authorities had considered as an unreasonable interpretation of the Geneva Agreement the ICC's suggestion that the French leave the Vietminh a two-year supply of spare parts.

and what they proposed to remove. An ICC Ad Hoc Committee would examine these lists and, if necessary, ICC experts would conduct on-the-spot investigations. Then, on the basis of this Committee's report and after consultation with the parties, the ICC would decide what material could be removed.*

Doubtless aware that the Vietminh would continue to charge the French with illegal removals and that the French would not tolerate lengthy delays (while the ICC struggled to secure unanimous decision), the ICC proposed that the French give 72 hours notice if they wanted to evacuate any equipment before the ICC had examined the inventories. Then if the ICC was unable to reach a decision within this period, the French were authorized to remove the equipment -- provided they gave "a specific guarantee" that they would replace it, or pay compensation, should it later be determined (by agreement between the parties or by adjudication of the Commission) that removal was in contravention of the Geneva Agreement. The Commission noted that ICC Teams would, "as a rule," inspect and make a detailed record of equipment *prior to its removal*.

- v. Private Property. Of greatest significance in resolving -- in favor of the French side -- a major point of conflict between the parties was the ICC's position that "property belonging to private persons or enterprises," *other than those properties mentioned as public utilities*, could be removed or left behind according to the wishes of the persons or enterprises concerned, and their decision would be final. Further, if any difficulty arose

* French Professor Gérard Tongas, who remained in Hanoi after the French withdrawal and entered Haiphong with the PAVN forces, claimed that French and GVN personnel removed a great deal of public property from Haiphong *before* presenting their February 1 inventory to the ICC. (However, the ICC itself made no such charge.) See Gérard Tongas, *op. cit.*, p. 79.

in dismantling or evacuating such property, the ICC was to be notified.

While it was apparent from the ICC suggestions that the Commission wished to prevent the removal of equipment in violation of the Geneva Agreement, it was equally clear that the ICC was becoming impatient with Vietminh tactics of intimidation and violence to prevent legitimate removals, and feared that a continuation of such actions would jeopardize the cease-fire.

Failure of the Sainteny Mission: The French promptly accepted the ICC's suggestions. Bolstered by the omission of the French coal and cement industries from the ICC's list of "private industries of public utility," they pressed the DRV for better terms and pleaded with the U.S. for greater leniency. Since, after the transfer of Hanoi, the DRV had told the Sainteny Mission that it would not permit French companies to operate under French management, the French now wanted the U.S. government to grant COCOM exemptions to companies in which the DRV would have 60 percent control, the remaining 40 percent being shared by the French government and private French owners.

In explaining this unpalatable formula, French authorities emphasized that France could not afford to abandon its heavy investments in NVN, and consequently, to prevent seizure, would have to allow the DRV to share in the ownership and management of French industries. Furthermore, the French government, itself, would have to participate in the joint companies, or French management would not remain in NVN because they distrusted DRV guarantees.

Finally, to overcome U.S. resistance, the French appealed to the strong anti-Communist sentiments of the U.S. Administration. They argued that by lessening the DRV's dependence on trade with Communist countries France would, in fact, be contributing to Western interests; French joint companies in NVN should therefore benefit from exemptions to the embargo on strategic goods. They claimed that DRV authorities had repeatedly expressed a preference for

securing economic assistance from France rather than from Communist China,^{*} and pointed out that the Vietminh would not be weakened if it was denied such assistance. They would simply turn to Communist China and other communist nations for technical and financial support.^{**}

The U.S. government rejected these arguments. It contended that the French would be unable to safeguard strategic materials against diversion by the Vietminh if the latter shared in company management.^{***} As for contributing to Western objectives, the U.S. maintained that France's proposed economic policy for NVN was a basic contradiction of Free World objectives in South Vietnam and, as such, would alienate France's allies.^{****}

Unable to obtain better terms from the DRV or the U.S. and increasingly criticized for at least the appearance of duplicity by French as well as GVN and U.S. sources, the French government ceased its efforts to establish joint companies in NVN, and the dismantling of U.S. mining equipment began at Hongay, protected by a battalion of FUF troops. The work was briefly interrupted by another Vietminh protest demonstration and complaints to the ICC, but when the DRV became convinced that the ICC would not reverse its decision regarding the classification of public and private property, it finally agreed in mid-March to the removal of U.S. equipment.[†]

At the ICC press conference in Saigon, on March 29, the Chairman reported that both sides had finally accepted the principles proposed in January by the ICC to secure an orderly transfer of responsibilities in the Haiphong perimeter. He noted that, on the basis of the Ad Hoc Committee's report, the ICC had allowed the French to

(U) ^{*} Public statements of DRV authorities seemed to support this claim.

^{***} Professor Tongas (*op cit.*, pp. 189-190) reported that most goods sent to NVN by the French under the commercial accord signed in April 1955 were transhipped to Communist China or Russia.

[†] When the French withdrew from NVN, they sold to the DRV the depleted, but still functioning, cement and coal industries and the Hanoi tramway company.

remove "certain surplus equipment" from some public utilities -- such as the waterworks, electric plant, radio station, and lighthouse services -- after the Committee was satisfied that the removals would not affect the efficient operation of these services. Also, at French request, ICC teams had supervised the removal of some mining equipment from the French coal mines, which were still sufficiently equipped to ensure production. The Chairman further reported that the evacuation of equipment and materiel from Haiphong was progressing satisfactorily and that the ICC, after discussing with both parties the final transfer of the enclave, had asked them to submit detailed plans by April 1, indicating the type of assistance they would require from the ICC and its Teams to help ensure an orderly transfer and withdrawal.*

Provisions for the Transfer of Civil Administration

Until the Sainteny Mission's economic negotiations with the DRV were concluded, and until the Vietminh as well as the French accepted the ICC's suggestions for the removal of equipment, the FUF and PAVN High Commands could not reach agreement on procedures for the civil and military transfer of the Haiphong perimeter -- a transfer that the ICC correctly predicted would be "the most complicated" of all.** But finally, on April 11, just one week before the DRV advance detachments were to enter the Haiphong enclave, the Joint Commission signed the necessary protocols.

Protocol 29 covered the transfer of civil administration in the Haiphong perimeter.*** The principle difference between this protocol and the similar agreement for Hanoi (Protocol 14) lay in the fact that, besides being more detailed, it bound the parties to act in accordance with the ICC's suggestions for the transfer of public and private property, with certain minor changes. For example, with respect to

* Saigon Tel. 4244, Section Two, para. V, March 31, 1955.

** Saigon Tel. 3602, February 27, 1955, para. 1D.

*** Protocol 29: "Concerning the Transfer of Civil Administration in the Haiphong Perimeter," signed by the Central Joint Commission at Quynh Khe, April 11, 1955. See Appendix IX for a translation of the mimeographed, unpublished text.

privately owned public utilities, it specified that where no previous contract existed, the French should, "in principle," leave a three-month supply of reserve stocks (P-IIC). It also required the French to attach to the Protocol the inventories they had prepared for each public service and property (P-IIB).

The assignments of DRV advance administrative detachments scheduled to enter the Haiphong enclave (500 administrative officials, 65 auxiliaries, and 80 chauffeurs), their functions, obligations, restrictions, and security followed the pattern developed for the transfer of Hanoi. However, unlike the earlier transfer, the deployment of these detachments was to be effected on nine different dates, divided into two phases, which were separated by a two-week break. During the first phase (April 18-21), detachments were scheduled to enter the areas north of Haiphong (Campha Port, Campha Mines, Hongay, Vatchay, and Quang Yen). Two weeks later, deployment was to resume with the entry of administrative detachments into the suburbs and city of Haiphong on May 5.* This second phase was scheduled to end on May 12 with the arrival of a six-member detachment at the customs offices on the island of Cac Ba, the final regrouping site for French forces prior to complete withdrawal from North Vietnam.

Provisions for the Transfer of Police

Like the agreement on the administrative transfer, the Protocol covering the police and military transfer of the Haiphong perimeter was not signed until April 11.** It provided for entry of advance detachments of police totalling 954 persons (678 military police, 200 civil police, and 76 service personnel). The first detachment was

* Of the 565 DRV administrative personnel 442 were assigned to the city and suburbs of Haiphong. (Both figures include auxiliary, but not service personnel.)

** Protocol 30: "Concerning the Military and Police Transfer of the Zone Included Within the Haiphong Perimeter," signed at Quynh Khe, April 11, 1955. See Appendix X for a translation of the mimeographed, unpublished text.

scheduled to enter the Campha Port and Mines sector on April 18.*

Aside from the small number of military police (33) assigned to guard the advance administrative detachments (and those who would enter each sector with them), 645 military police were distributed among 23 localities, where their assignments were further broken down to indicate the number of personnel to be posted at "sensitive points" (water-works, electric plant, radio stations, airports, etc.) and at specific sites in each locality (government offices, schools, utilities, etc.) (P-Cb and Annex III).

In addition to the military police, advance detachments totalling 28 (unarmed) PAVN officers -- a category not used in the Hanoi transfer -- were assigned to take over the French military domain at eight major installations. These officers were to make their entry with the PAVN military police 24 hours before the successive military transfers (P-C,b3).

Of the 200 civil police, 136 were assigned to the suburbs and city of Haiphong, and the remainder to the four sectors of Campha, Hongay, Quang Yen, and Kien An. They were to enter each sector 48 hours before the military transfer, with the exception of the city of Haiphong, which they would enter four days before the transfer.

The provisions of Protocol 30 governing the duties, arms, insignia, *laissez-passer*, circulation, security, and reporting of both military and civil police were similar, but not identical, to those drafted for the Hanoi transfer.

A few of the variations resulted from the topography of the Haiphong area. For example, before the PAVN troops were scheduled to move into Campha, the PAVN would be allowed to transport 20 vehicles of troops from west to east on Route 18, within the French perimeter, in order to rejoin the DRV zone north of Campha (P-E). A French water-boat would also be permitted to make two trips to Campha Port to supply French ships; and after the transfer of Hongay, the PAVN would be permitted to send food by ship to Hongay, through the French-controlled Along Bay.

* For the explanation of the division into sectors see below: *Provisions for the Military Transfer.*

An annex attached to the Protocol (Annex IV) spelled out in some detail the assignments of the DRV civil police. The PAVN specified that in Haiphong's municipal police headquarters in the first and second precincts of Haiphong, and in the Hai An suburb, one DRV police official was to be assigned to each of the following positions or departments to familiarize himself with the work prior to the transfer: Police Superintendent (Head of department or of precinct), Deputy Superintendent, Secretariat, Chief of Patrol Division, Personnel, Accounting, Equipment, Morals Division, Police Intelligence, and Telephone Service. Assignments of DRV civil police in other localities were to be made by joint agreement between the two sides, taking into account the work to be done and the number of DRV police assigned.

Under the Protocol, the French were responsible for turning over to the DRV the police files covering general information and current cases of the Morals Division and the Police Intelligence, information on the density and distribution of patrols, the traffic plan of precincts, and information about official traffic signals and road signs and their locations.

Although the FUF remained responsible for the security of the DRV police, whose movements were subject to joint agreement, the Protocol seemed to give the police more leeway to circulate prior to the Haiphong transfer than had been the case in the Hanoi transfer. For instance, superintendents and their deputies were authorized to circulate throughout their respective cities or provinces, "at all hours of the day and night" in the city of Haiphong and the suburbs of Hai An, and at "all hours of the day" in five other sectors. One can only guess at the reason for this greater freedom of movement; possibly the French thought that there would be a better chance for an orderly transfer if the Vietminh police were well-prepared to move in promptly and assume control.

Provisions for the Military Transfer

For the military transfer of the Haiphong perimeter, Protocol 30 provided that the area be divided into 11 sectors, to be evacuated in successive steps from April 22 through May 16. Where no

natural boundary coincided with the temporary demarcation line between sectors -- such as a waterway -- a 200-meter demilitarized zone was to be established on either side of the line during the withdrawal of French forces (P-B7).

The military operation was divided into two phases, beginning with the transfer of Campha Port at the northwest point of the perimeter and moving southwest to Hongay, Quang Yen, and Dong Ha. These four sectors were to be transferred within a 7-day period (April 22-28). No additional transfer was scheduled for the next 11 days, although PAVN advance detachments were due to enter other sectors during this period.

The second phase was scheduled to begin on May 10 with the transfer of Kien An (southwest of Haiphong) and continue rapidly thereafter, with the PAVN taking over the suburbs and city of Haiphong on May 12-13, Kien Thuy and the Do Son peninsula and beachhead on May 14-15, and finally the island of Cac Ba on May 16. French ships were scheduled to withdraw from the 11th sector, Lan Ha Bay, on May 16.

If weather or mechanical problems delayed the embarkation of French troops at either Haiphong or Do Son, the ICC was to help the parties resolve the matter. Should similar conditions obtain in Lan Ha Bay, the French would be allowed to remain there through May 18. (No explanation was given for the French decision to withdraw from NVN ahead of schedule.)

Provisions in the Protocol covering the transfer of military installations and reporting thereon, the relief of guards, demining, and the PAVN's progressive assumption of responsibility for the maintenance of order were similar to those in the Hanoi agreement (Protocol 13).

With respect to the inventory of military equipment and properties being transferred by the French to the PAVN, Protocol 30 took note of a disagreement between the parties: The FUF had submitted a list of army, navy, and air force materiel that would be left behind in accordance with the Geneva Agreement (e.g., Bailey bridges, military buildings and contents, airport equipment . . .), and a much longer list of materiel being turned over voluntarily and free of

charge (P-Annex II bis). The PAVN contended that items required under the Geneva Agreement were missing from the lists. The parties agreed to submit their differences to the ICC for arbitration, and the French agreed to add a supplementary list should the ICC so rule (P-B4).

The Protocol also included a list of military and civilian cemeteries, which the PAVN agreed to leave in place and maintain in accordance with the Graves Protocol they had signed on February 1, 1955.

(S) A feature of the plans for the Haiphong transfer, absent in the Hanoi planning, was a provision for the local commanders of the two sides to meet at designated times and places prior to the transfer of each sector. Such meetings were scheduled to take place from two days for Sector 1 (Campha), to 7 days for Sector 8 (Kien Thuy), in advance of the military transfer. The local FUF commander was responsible for giving the local PAVN commander his timetable for the transfer of important points in the major towns.

Provisions for Supervision

The author has been unable to locate a signed joint agreement (such as Decision 15 for Hanoi) covering JC and ICC control and supervision of the transfer of the Haiphong perimeter. Actually, there may have been no such agreement, and no need for one, since Protocol 30 included a number of the provisions contained in the earlier Decision 15.

Protocol 30 provided that in order to control operations and resolve various issues, the Territorial Joint Sub-Commission for North Vietnam^{*} would meet in localities that would enable it to follow closely the different phases of the transfer operation in each sector (P-B, 8d). The responsibilities of the Joint Groups were the same as they had been for the Hanoi transfer.

^{*} In addition to the Central Joint Commission, there were three Territorial Joint Sub-Commissions. At the time of the Haiphong transfer, these were located at Quynh Khe, NVN; Quang Tri, CVN; and Phung Hiep, SVN. The Central Joint Commission also had its headquarters at Quynh Khe at that time.

There was little reference to the ICC in Protocol 30. As mentioned earlier, the parties had agreed to seek and accept its arbitration regarding inventories of military property, and to ask for its assistance if the French should be unable to embark on schedule. In addition, they agreed to ask the ICC to send Mobile Teams to watch (not "control" or "supervise") the transfer operations.

Transfer Schedules

The following schedules for the transfer of Sector 01 and of the entire Haiphong perimeter reveal the pattern of preparation for the military transfers. These timetables have been compiled from information contained in the various Protocols and their Annexes.

A. SCHEDULE FOR THE TRANSFER OF SECTOR 01

(Campha Port and Mines)

Prior to Transfer

3 days	Entry of Advance Administrative Detachments and MP Guards
2 days	Entry of Advance Detachments of Civil Police
2 days	Meetings of Commanders on DML of Sector
1 day	Entry of Advance Detachments of Military Police
1 day	Entry of Advance Detachment of PAVN Officers
D-Day 0630	Meeting of Joint Group at Liaison Point
0700	Meeting of Liaison Officers at Liaison Point
0700-1700	FUF withdrawal from Sector 01

B. SCHEDULE FOR THE TRANSFER OF THE HAIPHONG PERIMETER (APRIL 18-MAY 16, 1955)

Area	Sec- tor	First Phase											
		April											
		18	20	21	22	23	24	25	26	27	28		
Campha Port & Mines	01	Adm	Cmds CP	MP PAVN	T							No trans- fer move- ments for six days	
Hongay Vatchey	02		Cmd Adm		CP	MP PAVN	T						
Quang Yen	03		Cmd Adm			CP	MP PAVN	T					
Dong Ha Da Do	04							Cmds	CP	MP PAVN	T		
Area	Sec- tor	Second Phase											
		May											
		5	6	7	8	9	10	11	12	13	14	15	16
Kien An	05		Adm	Cmds	CP	MP PAVN	T						
Thuong Ly	06	Adm		Cmds			CP	MP PAVN	T				
Haiphong	07	Adm		Cmds		CP			MP PAVN	T			
Kien Thuy	08			Cmds			Adm		CP	MP PAVN	T		
Do Son	09							Adm		CP	MP PAVN	T	
Cac Ba	010										CP	MP ^a PAVN	T ^b
Lan Ha	011												

^a JC to decide when MP/PAVN will be assigned to lighthouses on Northway Island, off Cac Ba, and Hon Dau at tip of Do Son.

^b Deadline may be extended through May 18.

Legend:

- Adm - Administrative detachments
- Cmds - Commanders' meeting
- CP - Civilian police
- MP - Military police
- PAVN - VN officer detachment
- T - Transfer of sector

Withdrawal and Transfer

General Ely reported that in preparing for the withdrawal from NVN he considered it most important to maintain order in the city of Haiphong by using civil and military police, and to have in readiness highly mobile airborne troops capable of responding instantly should the Vietminh, "for reasons of prestige," wish to drive the French into the sea at the last moment. The French troops in the Haiphong enclave, the fleet, and the air units at Tourane engaged in practice exercises, but their joint efforts were not needed. In fact, having found the situation sufficiently reassuring just before the transfer was to begin, Ely ordered the fleet to remain at some distance from the NVN coast to avoid provoking the Vietminh.*

Phase One. The French called the evacuation of the Haiphong perimeter "Operation Salmon." When it began, with the entry into Campha of the first advance administrative detachments, General Giap issued an "Order of the Day" instructing PAVN units to coordinate their efforts with other security forces, and with self-defense and popular troops to maintain law and order, protect lives and property -- including those of foreigners -- and to protect the port and coastal installations. Troops were to love, respect, and help the people, show high Army morale, and be ready to face "plots of gangs" opposing a peaceful transfer.**

When the first phase of "Operation Salmon" ended, the PAVN controlled the Hanoi/Haiphong road to the very outskirts of the city, and FUF forces were confined to a 200 square kilometer bridgehead.

On April 28, the Hanoi press published a letter from Ho Chi Minh to the people of the "Hong-Quang Zone," congratulating them on their liberation and urging them to cooperate with the police, the

* Ely, *op. cit.*, p. 217.

** Hanoi Daily, *Nhan Dan*, April 18, 1954. General Ely said that the Vietminh had no confidence in France's good faith; they were convinced that the French planned to strip Haiphong and probably destroy the port -- which may have been one reason why senior ICC officials entered the port area before the transfer.

military, and the Military and Administrative Committee newly established in the area, to protect life, property, and public assets.

Though no major incidents occurred during this phase of the transfer, the Vietminh were reportedly very meticulous and demanding, and formulated numerous reservations when cosigning the official reports on the transfer of public services.*

Phase Two. The second phase began on May 5 with the entry of PAVN administrative units into the suburbs of the city of Haiphong. Despite the provisions of Protocol 29, apparently PAVN personnel were not always accompanied by French MPs: Dr. Tom Dooley, a U.S. Navy doctor running the refugee camp on the outskirts of Haiphong, reported that they visited his camp several times and took half of his pharmaceutical and surgical supplies. Meanwhile, their armed guards "raised hell in the village," by beating men and women who had been friendly to the Americans and by causing riots, fires, and antiforeign demonstrations to erupt "spontaneously" during each of their visits.**

In the interim, between the entry of the PAVN administrative detachments on May 5 and the military transfer of Haiphong on May 13, there were numerous incidents and demonstrations throughout the city. Crowds converged on the prison, demanding the release of Vietminh prisoners, or, by lying in the streets, attempted to block the movement of FUF trucks carrying equipment to the ports. To disperse the crowds without bloodshed, Cognys' troops made frequent use of tear gas.

On May 12, the eve of the transfer of the city and port of Haiphong, the French embarked a final group of 3600 refugees, the last of those able to escape into the Haiphong enclave.***

* Saigon daily, *Le Journal d'Extreme Orient*, April 30, 1955.

□ ** Thomas A. Dooley, M.D., *Deliver Us From Evil*, Signet Books, The American Library of World Literature, Inc., N.Y., N.Y., 1962, p. 134 (originally published by Farrar, Straus and Cudahy, Inc., N.Y., N.Y., 1956).

□ *** The ICC Canadian Commissioner reported that, as of the regroupment deadline, the ICC had 11,422 "first party" petitions asking for assistance for individuals and families wishing to move to Free Vietnam. A one-month extension of the deadline (to July 20, 1955) permitted only 4749 to make the move. (Cmnd. 9654, *op. cit.*, p. 21, para. 9, and Appendix IV (iii).)

On the same day, the PAVN took over the Thuong Ly suburbs and promptly ordered the roundup of all those who had collaborated with French or South Vietnamese forces during the war.*

On the night of May 12, PAVN troops bivouacked on one bank of the canal separating the suburbs from the city. FUF troops occupied the opposite bank. Professor Tongas, the only Frenchman who entered Haiphong with the PAVN troops, gave a graphic picture of how the transfer machinery worked.

At 0500, a convoy of PAVN troops, led by a jeep of PAVN liaison officers, began crossing the Ha Ly bridge into Haiphong. A jeep of FUF liaison officers met the convoy at the half-way mark, and continued with it across the bridge, which was blocked at the far end by a line of French MPs. The latter did an about-face and marched off as the PAVN trucks moved ahead at a funeral pace, stopping at every intersection while liaison officers consulted the maps, visited the section being transferred, and exchanged signed reports on the transfer.

Meanwhile, ICC cars criss-crossed the deserted streets (the curfew was still in effect) "ensuring a discreet control, and, at times, intervening in discussions between the two parties."

When issues in dispute were resolved, armed PAVN soldiers left the trucks and took up positions in the area transferred. As the convoy progressed, troops unrolled telephone wire to maintain direct contact with the PAVN general staff that had remained on the far side of the Ha Ly bridge. It was noon by the time the convoy reached the port. The transfer of the city had taken seven and a half hours.

The ICC arrived to observe the transfer of the last city block, and then entered the port area where, behind locked iron gates, the French troops were preparing to embark.

At 1230, General Cogeny arrived by helicopter from Do Son, reviewed the troops, read an "Order of the Day," and paid tribute to those lost in combat. There was a final salute as the French flag was

**The New York Times*, May 10 and 13, 1955. See Dooley, *op. cit.*, p. 135, for a vivid description of the PAVN's brutal treatment of a young Vietnamese caught belatedly trying to escape from the suburbs into the French-held city.

lowered, and Cogny departed for Do Son, while the French troops embarked aboard the *Jules Verne*. In mid-afternoon, the port was transferred, the *Jules Verne* left the docks, and, as the port gates were opened, the PAVN convoy moved in.

The world press made much of the joyous reception given the PAVN in Haiphong. Yet Professor Tongas, who was then very pro-Vietminh, described events otherwise. He observed that there was no real enthusiasm during the long entry of the PAVN convoy; that the population was wary, essentially impassive and indifferent, and finally retired early leaving the streets deserted except for Vietminh employees, troops, and "a few volunteers" who spent the night decorating the city with banners and flags. The following day only a few thousand residents attended the military review and listened to the President of the Administrative Committee speak on the significance of the events. Nor was there much applause for the parade of Dien Bien Phu troops that followed. According to Tongas, "No enthusiasm, even a glaring indifference, and exceedingly few people -- such were the essential characteristics of the welcome that the population of Haiphong gave its liberators and patriots." He attributed the situation to the deserted state of the city, the violence of French and Vietnamese propaganda against the Vietminh, and the fact that "the population knew what had been going on in Hanoi since the 'liberation' and did not find it very encouraging."*

On May 15, all remaining French forces left the NVN mainland from the Do Son beachhead. A rearguard regrouped on Cac Ba Island, which was transferred to the PAVN the next day. By midnight May 16, all French ships had left Lan Ha Bay as scheduled.

Appraisal

There was general agreement on all sides, from official and nonofficial observers, that the final military transfer of the Haiphong perimeter was achieved quietly and without incidents.

At the conclusion of the regroupment (in both North and

* Tongas, *op. cit.*, pp. 80-82.

South Vietnam), the JC issued a brief statement taking note of the completion of troop withdrawals and asserting that both sides would "continue to apply and respect Articles of the Geneva Agreement and of the Final Declaration to consolidate peace and achieve unification of Vietnam through general elections."*

The text was surprising in that it made commitments with respect to the Final Declaration and to elections, both matters outside the jurisdiction of the Military Commands, whose responsibilities were limited to implementation of the Agreement on the Cessation of Hostilities.

On the day after the French left North Vietnam, General Giap gave a tea party in Hanoi to celebrate the PAVN withdrawal from South Vietnam and the DRV takeover of the Haiphong perimeter.

The JC and ICC Delegates were among his guests. Unperturbed by the widespread criticism of the DRV for consistently violating the Geneva Agreement by using subterfuge and violence to prevent civilians from moving to South Vietnam, Giap told his guests that the successful transfer of forces formed the basis for a "continued" implementation of the Geneva Agreements which the DRV "fully supported." He thanked the ICC members "for their efforts in the past and their notable contribution to achieving the regroupment and transfer of military forces of the two parties."**

In a subsequent letter to the ICC Chairman, M. J. Desai, General Ely praised the latter for his efforts, which had "clarified" the problem of prisoners, permitted a great many people to benefit from the provisions for freedom of movement, "allowed the transfer of territories and the regroupment of forces in favorable conditions," and created "a climate of détente."***

Few observers on the scene, and certainly not the GVN, would have agreed wholeheartedly with Ely's appraisal of the Chairman's

(OUO) * Hanoi Tel. 1341, May 20, 1955.

** Hanoi Daily, *Nhan Dan*, May 19, 1955.

*** Cmnd. Paper 9654, *op. cit.*, para. 6.

accomplishments: There were still about 25,000 Vietnamese prisoners unaccounted for. Of the 650,000 refugees from North Vietnam, less than 9000 were known to have obtained DRV exit permits, thanks to the ICC's direct intervention (most refugees were actually "escapees" from the Vietminh). With regard to the withdrawals and transfers, the ICC itself took little credit for the success of the operations except in the transfer of public services. As for the détente, it existed between the Vietminh and the French from the moment the French forces pulled out of NVN, but it certainly did not exist between the Vietminh and the South Vietnamese -- nor, for that matter, between the latter and the French. As the French were sailing south from Lan Ha Bay, the GVN -- angered at French immixture in its internal affairs -- formally requested the French government to move its forces out of Saigon, Tourane, and Cap St. Jacques, and post them near the DMZ, since their reason for being in SVN was solely to deter Vietminh aggression.*

In its Interim Report to the Geneva Conference Powers at the conclusion of the regroupment period, the ICC noted that the parties were able to deal with the problems of withdrawal of armed personnel and the transfer of civil administration "with a little assistance" from the ICC, but that the Commission and its teams of experts had been obliged "to deal with all the details involved in the transfer of public properties and the complicated services of the Haiphong perimeter" because the parties had been unable to do so within the framework of the Geneva Agreement and the ICC suggestions. In appraising the results, the ICC observed that not only were the withdrawals and transfers effected before the due date, but public properties and essential services were handed over "intact and in running order" in all areas, and the High Commands were able to withdraw forces, equipment, and supplies "in good order" in accordance with the Geneva Agreement.**

Though public services in North Vietnam were reportedly operational after the transfers, not even GVN or French authorities,

* This will be dealt with in Part II.

** Cmd. Paper 9654, *op. cit.*, paras. 5-6.

let alone the DRV, would have said that they were "intact." However, the ICC statement that "the manner in which the withdrawals and transfers were effected satisfied both parties to the Agreement" was generally true for the operation in North Vietnam -- the satisfaction being all the greater because neither side had anticipated a peaceful transfer. But insofar as the GVN was concerned, the statement was not accurate with respect to withdrawal of the PAVN from South Vietnam, a subject that will be discussed in Part II.

VI. LESSONS OF THE PAST

Since the DRV and the NLF seem to be using tactics and adopting positions that in many instances are similar to those of the Vietminh in 1954-1955, and may have occasion to do so increasingly as negotiations proceed, it would seem useful to consider the results of the earlier experience as evident in the preceding historical review of regroupment.

VIETMINH TACTICS DURING NEGOTIATIONS

The negotiating techniques of the DRV at Geneva and the military efforts of the PAVN in Vietnam during the 1954 Conference were closely and skillfully correlated to achieve a settlement that would further the Vietminh political objective -- the unification of Vietnam under DRV control.

The first step toward attaining this objective was to secure the partitioning of Vietnam in such a manner that the DRV government, operating openly in competition with the government of Bao Dai, could exercise full control over an area comparable, or preferably superior, to that of the other side in terms of population and territory. This would serve as a prelude to general elections, which the Vietminh anticipated would allow them to take over all of Vietnam.

Stalling

If there was to be a settlement based on partition, the Vietminh knew that they would have to reject an immediate cease-fire and avoid any agreement at the outset of the Conference on such issues as areas for the provisional regroupment of forces, which might preclude subsequent consideration of partition. (The Vietminh did, in fact, avoid agreement on any issue until the French had agreed to partition.)

Covert Talks

The Vietminh also realized that achievement of a settlement based on partition would require covert bilateral negotiations with the

French (for reasons mentioned earlier); and achievement of partition on terms favorable to the DRV would require continuing military pressure and victories in the field. Consequently, their tactics were designed to deal with these two aspects of the problem.

Pham Van Dong's description of self-supporting large regroupment zones was bait to lure the French into bilateral talks on partition. When the French failed to take the bait promptly and Dong pressed for meetings of the two High Commands in the field, Bidault recognized the pressure for what it was: an attempt to get the French military committed to a seemingly military solution for regroupment areas that would inevitably lead to partition -- a political solution, no matter how formulated.

The Vietminh attempt to open the military talks at Geneva with a discussion of the principles rather than the specifics of regroupment was similarly directed toward getting the French to discuss partition. Though the French again rejected the bait (in front of the GVN representative), it was shortly thereafter that they made the sub-rosa approach to the Vietminh that led to the "underground talks." The secret military talks continued as a cover, but the French admitted to the U.S. delegate that they were pinning their hopes on the underground talks.*

Flushing Out the Opponent's Position

Once the underground talks had begun, the PAVN representative at the military talks concentrated on flushing out French territorial claims, and the basis for such claims, before revealing his own hand. He did not, in fact, present the Vietminh territorial claims until after the French had made their covert contact.

Correlation Between Negotiations and Operations

Subsequent developments indicated that the Vietminh negotiator's knowledge of French territorial claims was passed on to the PAVN

Command in Vietnam, whose military responses then provided the feedback that reinforced the Vietminh negotiator's hand at Geneva. For example, PAVN forces made a point of challenging the French in areas of South and Central Vietnam where they claimed to control territory and communication lines, but where their control was precarious. In North Vietnam, where the French were hoping to hold a relatively large Hanoi/Haiphong enclave for an indefinite period after a cease-fire, the PAVN increased pressure outside, and subversion inside, the enclave to convince the French that they could not do so in safety, and that when the DRV negotiators at the underground talks spoke of wanting "a capital" and "a major port" in their large zone, they meant specifically Hanoi and Haiphong.

Aside from improving the DRV's chances of obtaining partition, PAVN operations during the Conference were designed to serve other purposes as well: to justify subsequent Vietminh demands for larger provisional assembly areas for the PAVN and smaller areas for the FUF, pending total partition; to improve the strategic positions of the Vietminh forces; to warn the French (by interdicting routes that the FUF would require to provide relief, to regroup, or to withdraw) of what they might expect if the negotiations broke down; and to weaken the fighting spirit of Vietnamese forces by maintaining an aura of invincibility. The PAVN accomplished the latter by avoiding the commitment of major forces in open battle, while using superior forces against isolated FUF units, and against posts held by VNA troops in areas from which the French had withdrawn.

1) Promotion of Dissidence Among Adversaries

Vietnamese morale was not threatened by PAVN military tactics alone. The lack of full and frank communication between the French and Vietnamese governments, and between their delegates at Geneva, caused the GVN to assume that the French were making greater concessions to the Vietminh than the military situation in Vietnam warranted. This suspicion, reinforced by the voluntary French withdrawal from the South Tonkin Delta, convinced many Vietnamese that

the French were trying to save their own skins without regard for the immediate welfare or long-range interests of their Vietnamese allies, whereas, in fact, the military situation gave the French little choice.

In numerous ways, the Vietminh had, from the outset, done their best to feed the latent Vietnamese suspicion and distrust of the French. For example, they falsely claimed that their agreement with the French Command to release wounded FUF troops captured at Dien Bien Phu applied only to French, not to Vietnamese PWs. They exchanged French PWs, but not Vietnamese, on Bastille Day. They allowed the French to withdraw unmolested from most of the South Tonkin Delta, and then attacked the VNA garrisons left behind, while fabricating atrocity stories that charged the French with refusing to evacuate civilians and then bombing the Delta towns from which their forces had withdrawn. At the Trung Gia meeting of the FUF and PAVN Commands, the Vietminh went out of their way to humiliate the Vietnamese representatives by denying them the military courtesies they showed the French.

The totally unrealistic expectations of the GVN with regard to a settlement in Vietnam (for many weeks shared by the U.S.), and the willingness of the French to negotiate covertly with the Vietminh, made the latter's efforts to promote a split between the French and the Vietnamese a relatively easy matter. This split was never more apparent than on the final day of the Conference: While the GVN was bitterly accusing the French of "acting alone" to conclude a hasty armistice, and of setting a date for elections in Vietnam without the consent of the GVN, the DRV was extending to the French an offer of economic and cultural cooperation.*

* Translations of the GVN's statement of July 21, 1954, circulated at the Geneva Conference, and of the letter of the same date from DRV Foreign Minister, Pham Van Dong, to French Prime Minister Mendes-France, appear in the writer's study of the ICC performed under Contract SD-220 (ISA/DOD), *Troika on Trial*, September 1967, Vol. III, pp. 51 and 73 respectively.

The correlation of Vietminh tactics used at Geneva and in the field during the Conference undoubtedly helped the DRV to secure a more advantageous settlement, but the nature of that settlement was determined primarily by the basic conditions referred to in statements by two U.S. officials after the Conference closed. Commenting to the press on the inglorious results of the Conference insofar as the French were concerned, Secretary of State Dulles observed that after almost eight years of increasingly unsuccessful warfare in Indochina, "The French people did not desire to prolong the war." And the senior U.S. delegate to the Conference, General Bedell-Smith, denying the charges of some U.S. legislators that Geneva was "another Munich," pointedly noted that "it would be well to remember that diplomacy has rarely been able to gain at the conference table what cannot be gained or held on the battlefield."*

POST-CONFERENCE TACTICS AND POSITIONS

The Vietminh continued to undertake acts of sabotage and engage in minor military operations against the French forces during the three weeks between the end of the Conference and the deadline for a cease-fire throughout Indochina. But when it became evident that the French fully intended to move into their assigned Hanoi/Haiphong enclave, and were actually beginning to withdraw troops from North Vietnam even before the regroupment period began, the Vietminh made no attempts to sabotage lines of communication or interfere in any way with the movement of French troops. Nor did they harass the latter once they were within their enclave or during their interim or final withdrawals.

It is perhaps noteworthy that during the 300-day regroupment period, the only incidents of physical conflict in North Vietnam between the erstwhile adversaries were occasioned by economic issues -- and then the conflict was not between military forces, but between

* *The New York Times*, July 24, 1954.

FUF troops and Vietminh civilians (though there were probably some Vietminh irregulars mingling with these civilians).

Thus once the DRV was thoroughly convinced that the French would pull all their troops out of North Vietnam, it turned its attention to the economic implications of the French withdrawal and devoted its efforts to ensuring that the infrastructure and physical plant in NVN remained intact and operational. Since this required the retention of equipment, a pool of skilled personnel, an assured source of raw materials, and established trade outlets, the relationship between the French and DRV governments, and the status of the Joint Commission's plans for withdrawals and transfers in NVN, were more seriously affected by economic than by military or political considerations.

The Carrot and Stick Technique

To achieve their economic objectives, in dealing with the French, the Vietminh combined flattery and tempting offers with threats and warnings. For example, they assured the French that their continued cultural presence would be welcome in NVN, gave precedence to Sainteny over the USSR and PRC ambassadors at the first DRV social affair in Hanoi (a dinner for Prime Minister Nehru), and repeatedly asserted that French economic collaboration was preferred to that of Communist China.

On the other hand, by fomenting strikes and demonstrations at Haiphong, and by repeatedly warning the French that the United States was trying to force them out of both South and North Vietnam, the Vietminh maintained constant pressure on the French to collaborate in order to preserve their current investments and future prospects.

This carrot-and-stick technique relied for its success on the French Government's obvious eagerness to retain a position of influence in Vietnam and on its fears for the safety of French personnel in its provisional enclave in the North.

Use of the ICC

In accordance with the position taken by the Communists, who, at the Geneva Conference, wished to exclude the ICC from military regroupment operations, the Vietminh avoided, insofar as possible, involving the ICC in any of the negotiations or execution of joint agreements on the regroupment, withdrawals, and transfers in North Vietnam. However, they consistently tried to use the ICC during this period to further their objectives. One tactic was to inundate it with mass petitions and unfounded charges against the French, the GVN, and the U.S. -- charges that were printed and broadcast in NVN, and then picked up and disseminated by the media of other countries.

This stratagem was especially successful during the regroupment period because the French were reluctant at that time to press complaints against the Vietminh strongly and publicly, or to give wide publicity to their own rebuttals of Vietminh charges -- again because of the French Government's economic negotiations with the DRV and the precarious position of its forces in the North. At times, the DRV's propaganda was reinforced by the ICC's references to PAVN charges in its published reports, without a simultaneous reference to French and GVN rebuttals and countercharges.

A good example of this occurred in December 1954 in connection with a letter from General Giap to the ICC -- an eight-page broadside of unsubstantiated charges against the French, U.S., and GVN governments for allegedly violating a number of articles of the Geneva Agreement. The ICC asked the French Liaison Mission to the ICC to obtain comments on Giap's letter from the French High Command, "for the personal information" of the ICC. The Mission supplied specific rebuttals to all the PAVN charges and noted that it abstained from further comment in order to avoid polemics with the PAVN High Command that would be inopportune "under present circumstances."*

* Unpublished letter dated January 23, 1955, from General de Beaufort, Chief of the French Liaison Mission, to M. J. Desai, Chairman of the ICC.

(Sainteny was then negotiating with the DRV economic experts, and the Vietminh were fomenting strikes at Haiphong.)

The DRV published Giap's letter, but the French did not release their own reply. And though the ICC did not reproduce either letter in its published Interim Report to the Geneva Co-Chairmen, it did reproduce its own reply to Giap, which listed succinctly the PAVN charges without revealing the French rebuttals and countercharges. The net result was to publicize the unsubstantiated PAVN charges.*

* Cmd. Paper 9461, *op. cit.*, Appendix VI, p. 55.

VII. THE IMMEDIATE AFTERMATH

Although this Memorandum deals essentially with regroupment and transfer operations, it is perhaps appropriate to consider briefly the immediate aftermath of the transfer of authority from the French to the Vietminh. The purpose here is not to study in depth the methods and results of the Vietminh takeover, but merely to examine some of the more significant early strategies used by the DRV during the year that followed the Geneva Conference.

IMMEDIATE OBJECTIVES

The apparent goal of the Vietminh in seeking partition at Geneva was to establish a strong base for their government in the North as a prelude to assuming control of both North and South Vietnam in 1956. Their immediate objective, as they took over from the French, was thus to consolidate their internal position by achieving, as rapidly as possible, full military, administrative, economic, and political control of their zone. Simultaneously, they sought to establish the legitimacy of their government by securing international recognition and support.

PROBLEMS AND ATTEMPTED SOLUTIONS

In its efforts to consolidate its internal position, the DRV faced many problems of a military nature. For example, since it planned to expand and upgrade its armed forces, it needed additional military supplies and new types of equipment. These could only be obtained outside Vietnam -- a violation of the Geneva Agreement (Art. 17).

During the final weeks of the Geneva Conference, intelligence sources reported that the PAVN was receiving as much military equipment from Communist China as it had at the peak of the Dien Bien Phu build-up.

Despite restrictions in the Geneva Agreement, the flow of materiel did not stop after the cease-fire. On the contrary, it

increased because vehicular convoys and human carriers were no longer subject to FUF ambushes and bombings. Tens of thousands of Vietminh and Chinese coolies could likewise work, without enemy interference, to rebuild the trunk lines linking NVN to China at Laokay and Langson/Nam Quan (lines that the VM themselves had rendered totally inoperable to prevent the French from entering Vietminh areas during the war). Within four months after the transfer of the Hanoi perimeter, the entire 156-km. rail line from Hanoi to Nam Quan, which included 23 high-level bridges, was restored, according to an Australian Communist correspondent who rode the first train from Peking to Hanoi in February 1955.* The stage was thus set for larger imports.

Meanwhile, as early as October 1954, the French had informed the U.S. that the Vietminh were engaged in clandestine logistic stockpiling of military equipment entering illegally from China. They asked the U.S. to supply a few additional aircraft, particularly helicopters, to enable the ICC to conduct a surveillance of the Sino/Vietnamese frontier. Because MAAG/Saigon had asserted that "French forces have adequate aircraft at their disposal to carry out an effective program of surveillance," the U.S. government turned down the request, despite repeated high-level appeals from the French, British and Canadian governments.**

It was perhaps not surprising that when the French officially requested the ICC to control more effectively the frontier, and to

* For a description of the techniques used by the Vietminh to destroy roads and rail lines in NVN to keep the FUF at bay, see Wilfred Burchett, *North of the 17th Parallel*, published by the author, Hanoi, September 1955, p. 169.

** Saigon Despatches 167, November 24, 1954, and 349, February 27, 1955. The Defense Department contended that the French had a total of 29 helicopters in Indochina and that this should be adequate for the needs of both the FUF and ICC. The French responded that a number were grounded for lack of spare parts, and others were needed to pick up FUF/PW escapees, isolated pockets of troops, Special Forces, and casualties trapped in remote areas in both Vietnam and Laos.

condemn the DRV and PRC for violating the Geneva Agreement, the ICC Chairman responded that it would take an army to control the entire frontier and that he could not charge the other side with violations unless the French could supply concrete proof that these had occurred.

Subsequently, when the ICC, at Canadian insistence, attempted to use Mobile Teams to control major road and rail border crossings, it was defeated by numerous Vietminh evasive tactics and legalistic positions:

- (a) Roads were said to be impassable, or transportation and Vietminh Liaison Officers were not available.
- (b) Trains were brought through checkpoints at night without the agreed prior notification to the ICC teams that were often billeted at some distance from the checkpoint.
- (c) Trains failed to stop in the 10 kilometer frontier zone where ICC Fixed Teams had the right to check shipments, and were unloaded beyond this zone where even Mobile Teams could not operate without DRV approval.
- (d) After the Vietminh takeover of Haiphong, the ICC was not permitted to inspect sealed freight cars from China on the grounds that the bonded contents were in transit for outshipment from Haiphong.
- (e) Logistic support was denied to a Mobile Team at a crucial border point after a majority Indian/Canadian vote in the ICC overruled the DRV's contention that such a team could not legally remain at one location for a long period without taking on the character of a Fixed Team, whose presence required DRV approval.

The level of the DRV's illegal imports of war materiel (by road and rail from the PRC, and by lightering operations in the Baie d'Along) was such that within two years the PAVN had increased in

strength from seven to twenty divisions, according to a statement by the British government in 1956.* And Vietminh evasive tactics were so successful that during this period the DRV did not incur a single citation by the ICC for importing military equipment in violation of the Geneva Agreement.

In taking over the civil administration, the DRV faced the problem of filling numerous administrative jobs with personnel who were both qualified and politically reliable. Naturally, it preferred to use its own cadres who had served in the Vietminh ranks during the war years. But having spent these years primarily in rural areas, few cadres were equipped to fill administrative positions in government or public utilities. On the other hand, many incumbent former GVN or French employees were well qualified, but were not necessarily politically dependable simply because they had elected to remain in the North.

The DRV attempted to solve this problem by using its top administrators (who had served in the 1946 DRV regime) to provide direction to the new staffs, and its wealth of dedicated political cadres to provide surveillance and indoctrination of the old.

As the Vietminh took over the Hanoi/Haiphong enclave, they immediately installed in each city and town a Military and Administrative Committee, whose membership included representatives of the so-called "people's organizations" and whose role was to help disseminate administrative as well as political directives.

The DRV chose experienced and well-known men to head the Hanoi Committee: General Vuong Thua Vu, who had played an active role in the Vietminh uprising against the French in December 1946, and, as his deputy, Dr. Tran Duy Hung, mayor of Hanoi in 1946. Three months after the transfer, the municipal authorities were effectively handling such basic functions as traffic, police, water, power, street cleaning. In short, the subordinate civilian portion of the Hanoi Committee began to assume full responsibility for running the city.

*"Note addressed to the Ministry of Foreign Affairs of the Union of Soviet Socialist Republics by Her Majesty's Embassy at Moscow on April 9, 1956," Cmnd. Paper 9763, Document No. 3, p. 8.

The police enforced a strict curfew from 11 P.M. to 5 A.M. Those who violated it were jailed, regardless of their status.* Police surveillance was facilitated, first, by a census of Hanoi taken as the PAVN moved in, and later by a full census throughout NVN that included questions about former French employment and contacts with foreigners. The police issued rice ration cards and, by a system of registration regulations, required all Hanoi inhabitants to advise the police of a change of residence within the city, any change in family status, arrival and estimated departure dates of temporary lodgers, and plans to hire or release servants. Persons wishing to move to Hanoi had to present certificates of registration issued at their previous place of residence, and residents of Hanoi had to obtain police permission before moving elsewhere.**

Although the top DRV leaders, Ho Chi Minh, Pham Van Dong, and General Giap, made several public appearances in Hanoi during the latter months of 1954, the central government continued to function at Thai Nguyen, its wartime headquarters north of Hanoi, until after Ho had made his official entry into Hanoi on January 1, 1955.

Without benefit of new elections, the 1946 DRV National Assembly convened in Hanoi on March 20, 1955. To reinforce the image of the DRV government as the government of all of Vietnam, 38 members of the Assembly were labeled "representatives of South Vietnam."***

The DRV was also beset by economic difficulties. It lacked strategic materials, trade outlets, hard currency, funds and materials for reconstruction, and qualified technical personnel. In addition, North Vietnam was faced with famine as a result of poor crops in November 1954 and with serious and growing unemployment as French industries closed down.

* Though the fact was not made public, a member of the ICC Canadian delegation and a British consular officer were jailed overnight for violating the curfew.

** Hanoi Daily, *Thoi Moi*, April 15, 1955.

*** Much of the information in this portion is based on 1954-1955 reporting from the U.S. Consulate in Hanoi.

To help alleviate the food situation, the DRV issued rice ration cards; used forced labor to repair the dikes; employed every means, short of overpowering military force, to stem the flight of Catholic peasants from the major food-producing provinces; provided tax incentives to encourage trade with the rice-rich South; and acquired SVN currency to purchase rice in the South (where Ho Chi Minh piasters were useless) by instituting currency conversion regulations that made it illegal for individuals in the North to circulate, or possess, SVN currency.

"Reasonable" shipments of rice from the South, authorized by the GVN until the regroupment deadline, were of some help in averting famine, but the main source of help was a USSR-financed crash program that brought 150,000 tons of Burmese rice into NVN in 1955.*

Hoping to improve the long-range prospects for food sufficiency in the North (always a debit zone), the DRV began extending to the newly occupied areas the harsh land reforms copied from the PRC, and already in force in long-held Vietminh areas. A combination of persuasion, surveillance, land distribution, and terror was used to enforce land policies and to control the rural population.

After taking over an area, troops and political cadres were assigned to each village and billeted with the inhabitants, allegedly to assist the peasants and explain government policies. Immediately after the Hanoi transfer, nonfarming landowners were first "invited" to surrender their land, and later compelled to do so. On March 1, 1955, an addendum to the DRV's 1953 Land Reform Policy established four categories of landowners: the democratic people and patriotic scholars; landowners who participated in the resistance; ordinary landowners; powerful, dishonest and wicked landowners. Another decree provided punishment for landowners who plotted or took action to destroy land reform policies, caused injury to peasants, continued to struggle against the DRV after the cease-fire, or sabotaged the union of the people or national defense efforts.**

* Bernard Fall, *The Two Vietnams*, Frederick A. Praeger, New York, 1963, p. 153.

** Hanoi Daily, *Nhan Dan*, March 20, 1955.

People's Tribunals were set up to try those designated as guilty by the Administrative Committees. These Tribunals were composed of two members appointed by the provincial court, and three to five local inhabitants selected from the newly designated lowest categories of the peasantry -- landless peasants, poor peasants, and middle-peasants. By using well-rehearsed local accusers, assembling the inhabitants of all the neighboring hamlets to witness the trial, and including local inhabitants as "popular magistrates" on the Tribunal, the DRV regime compelled the people to become personally involved in, and seemingly responsible for, its ruthless policies.

Refugees who escaped to the South reported that many of those selected for trial (and automatic conviction) were chosen because they had refused to help the Vietminh during the war or had worked for the French. But the DRV cleverly tailored the alleged crimes -- and the laws and legal trappings -- to avoid charges of violating the Geneva Agreement's prohibition against reprisals. The observations of Wilfred Burchett (the Australian Communist reporter) are particularly revealing in this respect:

Some modifications were made to the land reform law at the first meeting of the National Assembly after the armistice. These were partly made necessary by the "no reprisals" clause in the Geneva Agreements, partly based on the experiences of the previous twelve months. Past collaboration with the enemy was no longer an offence, city owners of land would no longer be subject to the political sanctions of "landlordism," and greater provision was made for the forced purchase instead of outright requisition of land. Accusation meetings were abolished and replaced by the People's Tribunals with judgments pronounced by properly constituted provincial courts. Differentiation of treatment was made in the case of patriotic landlords, ordinary landlords, criminals and despots.*

In describing the details of a typical trial -- that of Cac, Mayor of Son-Nam village near Hanoi -- Burchett noted that it was fortunate that Cac was tried after the Geneva Agreement that prohibited "reprisals against those who had collaborated openly with the French and the Japanese [sic]," because

* Wilfred Burchett, *op. cit.*, p. 169.

He had led French patrols to arrest cadres and was responsible for repeated destruction of some of the hamlets belonging to the Son-Nam village. But such matters were not entered on the charge sheet, as convictions for such crimes could be considered as "reprisal."*

These DRV evasive tactics succeeded. When the ICC was asked why it took no action in North Vietnam to prevent the imprisonment or execution of war-time opponents of the Vietminh, it invariably replied that it could do nothing because there was no evidence that the condemned were victims of reprisal; they had merely been tried and convicted for violations of the DRV's land-reform laws.**

Land confiscated from "evil" landlords, and from others the regime wished to suppress, was distributed to the peasants -- a popular aspect of the DRV land reform. The government acquired additional land and income from two other sources: It prevented those moving to the South from selling their land (potential purchasers were discouraged through social pressures and threats), then took over the management of all refugee property, allegedly until the return of the owners, as a "policy of protection of the rights and property of the people."*** The government then rented the land to the peasants. Further, when the regroupment period ended and there was no chance of another mass exodus of the remaining Catholic peasants,**** the DRV announced that it would requisition the land of religious sects. Seemingly to give the people a sense of participation (while the regime retained the real power), rural communities were told to decide how much land should be left to their local clergy -- their decisions being subject to the approval of the provincial authorities.

* *Ibid.*, p. 167.

** For a detailed description of the DRV's land reform tactics, see Hoang Van Chi, *From Colonialism to Communism*, Frederick A. Praeger, New York, 1964, pp. 164ff. Though Chi states that the Vietminh temporarily halted their terrorist land-reform tactics during the regroupment period "to avoid an even larger exodus" from NVN -- and resumed them immediately after the transfer of Haiphong -- nevertheless, a number of public trials did occur during the 300-day regroupment period.

*** Hanoi Daily, *Thoi Moi*, April 14, 1955.

**** Estimates of those remaining in the North have ranged from 300,000 to 700,000.

That all DRV land policies were not as popular as the distribution of land was evident when the Hanoi Administrative Committee found it necessary, during the regroupment period, to form a special "Liaison Committee between Town and Country" that included security personnel as well as representatives of people's organizations. The Committee circulated throughout the countryside, trying to explain land policies to a rural population that was threatening DRV tax collectors with physical violence.

After the regroupment period, compulsion was more prevalent than persuasion. By 1956, even the peasants of Thanh Hoa Province, for years the breadbasket of the PAVN, were in open revolt against the DRV, whose principal spokesmen had to concede that the government had gone too far in imprisoning and executing thousands of peasants during the Land Reform. Yet never did the ICC find it possible to charge the DRV with violating the Geneva Agreement by denying these people their "democratic liberties," supposedly protected under Article 14c. There was simply no "proof" of reprisals.

DRV problems in industry almost matched those in agriculture, though they proved to be more easily resolved.

While negotiations between the Vietminh and the French for the control and operation of major French-owned industries in NVN were being pursued during the period between the transfer of Hanoi and that of Haiphong (Chapter V above), the Vietminh tried to purchase some of the output of the cement and coal industries located in the French-held Haiphong perimeter. Though the French reportedly promised to deliver the cement, urgently needed for reconstruction in the DRV zone, the Vietminh complained bitterly that during the regroupment period the French failed to deliver. However, the DRV blamed the French less than the United States, charging that the latter had opposed French deliveries on the grounds that cement was a "strategic material," not exportable to the DRV. As for coal, the French continued to work the mines during most of the regroupment period, delivering some coal to Hanoi in exchange for electricity for Haiphong, but shipping out most of the production, even using military personnel as stevedores when the pro-Vietminh workers went on strike.

When the French withdrew from Haiphong, the cement and coal industries had been closed down for several months. They were operable, but stripped of their more modern equipment and in poor repair. The third large French industry -- the Nam Dinh cotton mill -- had been sent South, purchased by the GVN, which had also contracted for the labor. Moreover, most small industries were also closed down, but not before their French, Vietnamese, or Chinese owners had removed what equipment they could and sabotaged the rest before departing.

Thus, even before the end of the regroupment period, industrial production was at a standstill in NVN. Thousands of workers were unemployed. The need for urgent measures was succinctly stated by a DRV official:

We must provide jobs for the unemployed and eventually absorb part of the peasantry into industry. As long as the country remains divided, we cannot solve the rice problem completely without trade -- and we must have something to trade with. So we must develop our industries. For that we have two favorable conditions. A great wealth of mineral and timber resources and plenty of manpower. Machines and technique will be sent from the brother countries.*

Communist China, the USSR, and several of its Eastern European satellites promptly sent technicians and aid to help restore industry in the DRV zone. By early 1955, in Hanoi alone, the PRC and USSR embassies had staffs of about 200 each, and 70 Polish technicians were working in the Hanoi utilities. Initially, PRC aid predominated. Western observers suspected that part of the DRV/PRC technical agreement concerned the port of Haiphong -- the PRC would provide aid, with the understanding that the Vietminh would make sure that the French left the port facilities intact.

There was no doubt that the port was important to Communist China. Immediately after its transfer, the PRC opened a consulate in Haiphong, and a PRC official, as reported in the Hanoi press, said that upon the imminent completion of the Lao Kay rail line, the port

*Remarks by Bui Cong Trung, member of the DRV Permanent Committee of the Economic Commission to Burchett, as quoted by the latter, *op. cit.*, p. 263.

of Haiphong would become "the most important port" for the PRC, because goods leaving China would be able to travel through NVN, and no longer be subject to "plundering" in the Formosa Straits.*

Immediately after the transfer of Hanoi, and as part of the DRV's effort to control trade and profits (and acquire funds for government operations), all business establishments were ordered to conduct strict inventories in the presence of Vietminh cadres. Prices were fixed, arrangements were made to control sales, and heavy taxes were imposed on commercial profits, particularly on "big business," which, for tax purposes, meant any establishment making a \$600 monthly profit. Even street peddlers were ordered to bring in monthly tax statements.

During the regroupment period and for some time thereafter, the DRV found that the alleged evasion of taxes, like alleged crimes against the peasants, provided a legal cover for reprisals for war-time activities.

Beyond the military and administrative difficulties that confronted the DRV when it took over control of the country were problems of a political nature. The victorious return of the Vietminh to their former capital, after 8 years of war, was surely a momentous occasion. Yet Ho Chi Minh's presence in Hanoi was not even acknowledged until a week after the transfer. His failure to make a ceremonial entry, or at least an early public appearance, was officially explained by a remark attributed to him in the Hanoi press:

I don't like to waste my countrymen's time in a welcome for me. . . . The development of production and a unified effort toward restoration of the country are more important.**

This explanation would have been more credible were it not for the fact that tens of thousands of Ho's countrymen spent a great deal of time in the ensuing weeks preparing for a mammoth parade to welcome Ho and the DRV regime officially on January 1, 1955.

* *Thoi Moi*, June 9, 1955.

** *Lien Hiep*, October 18, 1954.

A more probable explanation was that the Vietminh wanted the country and the world, through foreign observers, to witness a suitably impressive welcome for the leader and regime whose troops had been received with only modest enthusiasm when they first entered Hanoi.

Certainly the Vietminh leaders were not taking for granted the spontaneous support or the political allegiance of the population. On the contrary, the measures they adopted immediately after taking over indicated that they had come well-prepared to use regimentation and indoctrination to convince and control the people at all levels.

Apparently the Vietminh leadership believed that while they could count on a vast reservoir of nationalist support, they needed total support -- and the means of retaining it -- if they were to be certain of prevailing in the 1956 elections. They could not ignore the fact that significant segments of the population were wary or skeptical -- if not distinctly hostile. Moreover, there was the possibility that the hostile segment might increase once the people were exposed to the DRV's administrative and economic policies.

One small indication that the DRV leadership had arrived well-prepared to begin political indoctrination was that immediately after the transfer of Hanoi it was able to give the ICC a long "invitation list"* of people in key positions that included not only the ranking central and municipal government officials, but also the designated leaders of unions or federations of peasants, labor, youth, students, women, writers, etc. These government-controlled "people's organizations," which were represented in the local Administrative Committees, were among the DRV's most effective means of extending and maintaining political control of the people.

Few Westerners had an opportunity to observe at close range how the DRV operated. One exception was French Professor Tongas, mentioned earlier as having elected to remain in NVN because of his deep sympathy for the Vietminh cause (which, until 1956, he believed to be exclusively nationalist). His laudatory description of the

(OUO) * Hanoi Despatch 9, October 21, 1954.

Vietminh takeover reveals how thoroughly the DRV was prepared to mold and control the population. According to Tongas,

In the countryside -- invaded by the People's Army which installed itself in the villages eagerly to assist them -- the peasants, feeling surrounded by warm solicitude, began working with new ardor. In all areas the new regime intervened with gentleness, kindness, and fairness. Imperceptibly, the population, almost in its entirety, was won over and listened with benevolent attention, with less and less skepticism and more and more sympathy, to the words of the "canbo"* and soldiers who insinuated themselves everywhere thoroughly to penetrate, advise, and influence it little by little. In every locality, and in Hanoi, section and street organizations were created under their aegis. Residents met with their neighbors and elected section and street committees; to head each of these, a leader was designated. The latter, in close contact with the Administrative Committee -- taking the place of a municipal council and consisting entirely of "canbo" -- regularly received authorized instructions. The inhabitants held frequent meetings under the direction of these leaders who talked to them about the Resistance, the country's future, citizenship, American imperialism, the restoration of Vietnam, etc.**

In every village and town all adult inhabitants of each street met nightly, from 8 to 12 P.M., to engage in group discussions led by a DRV cadre. Section meetings, large groups of inhabitants from as many as fifteen streets, were held weekly in pagodas or schools, and at least one member from each family was expected to attend. Topics covered by the DRV cadre dealt with everything from housekeeping, health care, and mosquito control, to improved agricultural methods, USSR industrial production, Ho's views on reunification, and the French war in Algeria.

Special meetings for young people were held apart from those for adults, and intensive indoctrination courses were conducted in all schools.

Thousands of political cadres, including many of those regrouped from SVN, were enrolled in a new People's University.

* Defined by Tongas as uniformed DRV officials.

**Translated by Anita Lauve Nutt. Tongas, *op. cit.*, p. 72.

Intelligence sources reported that the DRV also established another type of school. Near Hanoi, 30 to 40 agents, destined to infiltrate the GVN services, were given special training during the regroupment period, prior to seeking evacuation as refugees.

As for organized labor, the DRV replaced existing unions with government-controlled unions. And in the public utilities it retained, initially at least, former French and GVN employees at their former salaries. Along with other employees in public services, they were given intensive political indoctrination -- and a higher rice ration.

Hoping to win over the tribal minorities, many of whom had fought with the FUF, the DRV set up a Thai-Meo Central Committee, gave language instruction to Vietminh political cadres and teachers and sent them into the tribal regions, initiated broadcasts in the tribal languages, and finally issued a decree transforming the 50,000 km² area occupied by 300,000 tribesmen into a Thai-Meo Autonomous Region -- the decree to become effective on May 7, 1955, the anniversary of Dien Bien Phu.*

To provide the French-speaking, and generally more educated, elements of the population with properly oriented material, the DRV imported French Communist publications addressed to educators, women, youth, etc. French-language publications of Soviet and Chinese origin also appeared in North Vietnam, and the Hanoi printing plant -- one of the best in the Far East and turned over intact to the Vietminh -- poured out a flood of propaganda in both French and Vietnamese.**

In the early months after the transfer, marching drills were compulsory for all. Civilians marched nightly after group discussions, and in Hanoi the PAVN marched daily through the streets at dawn chanting slogans -- an exercise that served the dual purpose of keeping the

(OUO)* Hanoi Tel. 1247, May 4, 1955. As mentioned earlier, Vietminh troops also operated in the tribal areas in pursuit of guerrilla units.

** A last minute attempt to destroy the presses, prior to the transfer of Hanoi, failed because the saboteurs were met with overpowering gunfire from Vietminh agents already stationed inside the plant.

men in shape and reminding Hanoi's inhabitants, not least of all the French negotiators, of the PAVN's presence.

The marching was put to good use in large mass meetings as a preparation for the marathon parade of January 1, 1955, during which an estimated 200,000 people, in well-defined groups representing every conceivable segment of the population, passed in review before Ho Chi Minh and his government.

Thereafter, it was an easy matter to organize massive demonstrations against departing refugees, for reunification, etc.

For the DRV, securing political control of the population north of the 17th parallel was an essential step in preparing for the 1956 elections, but there were other important matters that required immediate attention.

Since it was the unsigned Final Declaration of the Geneva Conference, and not the jointly signed military Cease-Fire Agreement, that contained the provisions for all-Vietnam elections -- and since the GVN and the United States had repeatedly expressed reservations about such elections unless held under UN supervision -- it was understandable that the DRV should be uneasy about the future. This was evident from the steps it took both to encourage the French to fulfill their unsigned commitment to elections, and to impress upon them (and upon the other non-Communist Geneva Powers) the extent of support that the DRV enjoyed in the Communist world.

The DRV used several tactics in dealing with the French. It took every opportunity to remind the JC and the ICC, usually with considerable asperity, that both they and the GVN, for whom France had assumed the right to speak at Geneva, had to keep the bargains they had made. It welcomed, with well-publicized protestations of friendship, the French officials, legislators, and delegations of French Communist women, labor leaders, etc., who arrived periodically in NVN during the regroupment period. And it replaced the "French colonialists" with the "American imperialists" as the prime target of vituperation in official propaganda. This shift in target, apparent almost immediately after the cease-fire, was made easy and logical by the ill-concealed antipathy of France, as opposed to the

wholehearted support of the United States, for the DRV's rival government in South Vietnam.

To demonstrate the DRV's support in the Communist world, the government not only welcomed delegations from the PRC, USSR, and Poland, and publicized aid received from these and other Communist nations, but encouraged these nations to establish diplomatic missions in NVN. By mid-February 1955, seven had done so.*

It was also with an eye to the 1956 elections that the DRV increased the severity of steps taken to stop the flow of refugees to the South. Of course, the loss of rural labor and the ensuing damage to its image as the champion of the people were sufficient reasons for the DRV to try and discourage departures. But it is doubtful that it would have resorted to the strong measures it eventually used (which further damaged its image and risked a severe ICC public rebuke that never materialized), had it not regarded the exodus as a serious political threat. There was the prospect that the strongly anti-Communist Catholic population of the Tonkin Delta, which had long provided the best VNA troops, might provide the loyal, cohesive, political base needed by Premier Diem's government, which seemed to be foundering for lack of such a base in the spring of 1955.

It was after the transfer of Hanoi/Haiduong, and the departure of a large percentage of French troops from NVN, that the Vietminh, probably feeling more secure -- and more concerned -- moved from the use of administrative controls and intimidation to the use of military force to block departures to the South. Clashes between the PAVN and civilians at Phat Diem, Balang, and Tra Ly made headlines in December 1954 and January 1955.

Thereafter, possibly as a result of the bad world press and the strong (but private) reactions of the Indian and Canadian Commissioners, the DRV avoided open clashes, but used more effective measures of deterrence. It deployed additional troops to block access to the coast and obtained ICC support for its refusal to permit French ships

*PRC, USSR, Poland, Czechoslovakia, East Germany, Hungary, and Mongolia.

to enter DRV waters to pick up refugees ashore or afloat. It organized massive rallies of civilians and troops to protest "American imperialist plots to force the people to evacuate to the South," and to denounce those planning to leave. It even sent a delegation of Polish Communist priests into the Catholic provinces (to which the ICC was having difficulty gaining access) to discourage the clergy from promoting evacuation. Finally, it organized public trials -- attended by as many as 15,000 people in Hanoi, Haideung, Nghe An, and Thanh Hoa provinces -- where students, clergymen, and peasants were condemned for encouraging "illegal concentrations of people," distributing "illegal propaganda," or working as French or U.S. "espionage agents" to encourage people to go South. Sentences meted out ranged from three to twenty years for violating the law and "communiqués" of the Ministry of Internal Affairs and Security.

In response to French charges in the JC, and to French/GVN complaints to the ICC, that the DRV trials violated the Geneva Agreement, the DRV gave its usual response: The DRV had acted only in accordance with DRV laws; there had been no reprisals.

In looking toward the 1956 elections, the Vietminh did not neglect the possibility that by well-publicized offers to resume early contacts with the South they might achieve several worthwhile results: counter the damaging GVN charges that they were responsible for dividing the nation; develop a pattern of meetings with SVN authorities that would make it difficult for the GVN to reject the election discussions in July 1955, provided for at Geneva; and facilitate the guidance and control of the Vietminh network being set up in SVN during the regroupment period.

No sooner had Hanoi been transferred than the DRV proposed that NVN and SVN authorities meet at a midway point on the Hanoi/Haiphong rail line, or at Cua Tung on the DML, to discuss a resumption of postal service and economic and cultural exchanges between the two zones. The Vietminh saw no contradiction between this offer (which the GVN ignored) and their simultaneous denial of the freedom of movement they had agreed to at Geneva.

Periodically thereafter, various DRV ministries publicly proposed exchanges of publications, of sports events, dance teams, sales representatives, etc., and, of course, a resumption of trade to secure the desperately needed rice. In rejecting the proposals -- many of them made while trials of refugees were in progress -- the GVN pointed out the contradictions, charged the DRV with seeking exchanges for purposes of propaganda and subversion, and called upon it to prove otherwise by allowing refugees to move South and ending its subversive activities in SVN.

Finally, in April 1955, the two sides signed an agreement providing for limited postal exchanges between members of separated families. The types of open cards to be used in the exchange resembled those permitted in German PW camps in World War II. There was an approved text, with blanks to be filled in regarding family status, and space for five lines of a private message limited to family affairs.

On May 15, the Hanoi press announced that 33,000 cards had been made available in Hanoi, 13,000 of these reserved for DRV employees and military personnel. The first sealed sacks of mail (two from SVN and four from NVN) were exchanged on the Hien Luong bridge, in the DMZ, immediately after the deadline for regroupment. Ten days later, Hanoi postal authorities informed the public that "because of certain obstructions caused by the GVN authorities," some interzone letters would not be delivered in SVN.

The fact was that hundreds of the DRV cards had been rejected by the GVN because they contained Vietminh propaganda slogans and were addressed, not to families of the writers, but to GVN employees and military personnel at their home addresses -- a fact that disturbed GVN authorities because it revealed the presence of Vietminh agents in their midst.

As the regroupment period ended, the GVN appealed for an extension to permit additional refugees, especially members of divided families, to leave North Vietnam. The Vietminh immediately took advantage of this opening. As the last French ships were leaving NVN, the

DRV Council of Ministers ratified a policy that advocated "free" circulation within and between zones, special facilities for inter-zone trade and commerce, and a resumption of "normal relations" between NVN and SVN.

In the belief that the DRV would allow to circulate only those who were politically acceptable, and suspecting that its main interests were the acquisition of rice and the extension of subversion in SVN, Diem's government ignored the proposal and contented itself with the one month extension for the movement of refugees accepted by the DRV, after ICC intervention.

VIII. CONCLUSIONS

THE TERMS

How one evaluates the terms obtained by the French at the Geneva Conference depends to some extent upon whether one judges them in the light of France's objectives, as outlined to the U.S. and UK delegations at the outset of the Conference, or in the light of its military and political position six weeks later.

Because they wanted to retain a toehold in North Vietnam, the French were at first opposed to partition -- a solution then favored only by the British. They did not begin to consider it seriously as the only means of securing a cease-fire until early June, when the build-up of PAVN forces seemed to presage an assault on the French Delta, the Geneva negotiations were deadlocked, and the Vietminh indicated in covert talks their preference for partition. Adoption of partition as the basis for a settlement did not become official French policy until late June, after the investiture of Mendes-France.

Thereafter, and until the last two weeks of the Conference, the French expected to retain the "useful Delta" -- or the Haiphong enclave, as a minimum -- for at least as long as Vietnam was partitioned, and to hold on to a strong defense line at the 18th parallel.* But they were able to do none of these things because their bargaining position, weak at the start, continued to deteriorate throughout the Conference.

The Vietminh did not need inside information from French Communist sources (reportedly often available to them) to recognize as signs of serious political or military weakness:

- (a) the fall of the Laniel government because of its failure to make any progress toward a cease-fire at Geneva,
- (b) the investiture of a new government that promised peace in thirty days,
- (c) the FUF surrender of the southern part of the Tonkin Delta, during negotiations and without combat,

- (d) the inability of the French to reinforce their beleaguered troops in CVN,
- (e) and the readiness of the French negotiators to discuss partition covertly, knowing that it was vigorously opposed by both their cobelligerent and their major ally.

Though France could not have avoided the loss of Tonkin, it would have had a better chance of retaining the delta as an assembly area, and securing partition at the 18th parallel, if its weaknesses had been less glaringly apparent -- and U.S. support been more evident. In this instance, it might well be that "victory came to the side that maintained greater equanimity and whose internal difficulties were successfully hidden from the opposite camp."*

If partition was a defeat for the French in view of what they had hoped to retain, it was nevertheless the best they could have hoped for under existing conditions if they wanted to end the fighting yet remain in Vietnam.

For the GVN, partition was by far the lesser of two evils. Had the French decided to pull out of Vietnam instead of settling for partition, all Vietnam would have rapidly come under the control of the DRV, because there was no nation, or group of nations, willing to replace the French, and the ill-trained, ill-equipped VNA was no match for the Vietminh forces.

In return for relinquishing the 18th parallel, the French obtained a two-year postponement of all-Vietnam elections, a delay that was supposed to give the South time to overcome its many handicaps and compete in the 1956 elections from a position of strength. However, the advantage that was supposed to accrue to the South as a result of this postponement was partially offset by the terms for the provisional regroupment of forces.

* Hoang Van Chi, *op. cit.*, p. 67. Chi, a Vietminh cadre in NVN at the time of the cease-fire, told the writer that when the DRV delegates returned from the Geneva Conference, they privately expressed surprise and pleasure at having obtained partition as far south as the 17th parallel.

Despite Vietminh pressures in the field, France could probably have obtained better terms with respect to the size of assembly areas allotted to the PAVN, and the percentage of territory the latter would have to release periodically as they withdrew, had French negotiators not been so pressed for time by their Premier's self-imposed deadline.

As it was, the terms, accepted under pressure during the final days of the Conference, allowed the Vietminh to control large strategic areas in the South long enough to establish both an effective subversive network and channels for continuing communication with the North after the regroupment deadline.

The length of the PAVN's presence in the South could have been reduced had the French been willing to accept a shorter regroupment period, but the French wanted to retain Haiphong as long as possible. Since parity with regard to the deadline for regroupment north and south of the parallel was inevitable, French insistence on a minimum of 300 days for regroupment (instead of the 60 to 80 days proposed by the Vietminh) automatically gave the PAVN a similar period in the South. Combined with the size and location of the PAVN areas, the situation was definitely undesirable insofar as the GVN was concerned.

) Looking back, it would probably have been better had the period of regroupment been curtailed in order to get the PAVN out of the South as soon as possible after the cease-fire. This would not have been impossible. In view of the fact that during the Conference the French were able to evacuate 50,000 people and large quantities of equipment from the South Tonkin Delta in less than a week -- mostly by sea* -- there is little doubt that military and civilian personnel and equipment, and a large number of refugees as well, could have been evacuated by early 1955, had the French and Americans pooled their available shipping resources for the entire operation.

With regard to the effect of a shorter regroupment period on the movement of refugees, many of those who waited until 1955 before

* Ely, *op. cit.*, pp. 181-189.

deciding to go South would doubtless have made their decision earlier -- and might have actually had a better chance of escaping in 1954, before the DRV was fully prepared to thwart evacuations.

But as there would certainly have been thousands of others who would not have been able to meet an earlier deadline, it would seem that the longer period for freedom of movement was desirable from the humanitarian viewpoint. But whether it was desirable from the political viewpoint is a moot question that can be argued convincingly either way. For the influx of northern refugees, at the rate of about one for every fifteen inhabitants south of the partition line, may or may not have benefited all concerned.

On the credit side, the refugee exodus gave the Free World a spectacular Cold War victory; deprived the DRV of specialized labor and experienced administrators; increased the number of anti-Vietminh voters in SVN; and gave Premier Diem a politically dependable following. But on the debit side, the presence of vast numbers of loyal coreligionists encouraged Diem to build his political strength on this unpopular minority, rather than seek a wide southern consensus; increased the atmosphere of political tension by adding a new divisive element; alienated southern refugees (from Vietminh-controlled areas) who had to wait for land until the GVN resettled the northern refugees; and diverted the energies of the fledgling government from major priorities such as preparation for the take-over of PAVN assembly areas.

Whether the balance sheet will show that the Geneva provisions for a 300-day regroupment period and the active promotion of an exodus from the North (in which the U.S. was deeply involved) were to the best interests of South Vietnam and of the refugees themselves may well depend upon the outcome of the present conflict. For of those who have vehemently and consistently opposed a political settlement with the NLF, the Catholic refugees have been among the most uncompromising. Should the Communists eventually gain control of the South, we may expect the refugees, especially their spokesmen, to be prime targets for reprisals.

THE IMPLEMENTATION

The extent to which the Vietminh implemented the terms of the Geneva Agreement and of subsequent joint agreements on regroupment, withdrawal, and transfers, depended upon how well implementation served their interests. Some terms they implemented fully, others partially -- the degree of violation and the amount of subterfuge used to conceal violations being determined by the importance of the stake and the severity of the response that could be expected.

The Vietminh launched attacks in violation of the Trung Gia Agreement covering the interim period -- but when the French resumed bombing in retaliation, the level of attacks decreased.

In observance of the terms of provisional regroupment, the Vietminh avoided interfering with FUF troop movements into the Hanoi/Haiduong/Haiphong perimeters. For one reason, the PAVN wanted to extricate some of their own troops inside the area controlled by the French, and for another, PAVN troops regrouping in the South were subject to FUF retaliation.

In the South, where the FUF allowed the PAVN to regroup without interference, Vietminh violations of the terms of provisional regroupment were essentially clandestine. They were designed to promote DRV interests, but in such a way as to avoid detection. Either the violation would not be immediately discovered (arms caches in remote areas); could not be attributed to the DRV (attacks on VNA posts or provincial forces by armed "civilians"); or could not be proved (the clandestine return and dispersal of PAVN troops in SVN a week after they had ostensibly regrouped from Quang Tri Province into the DRV zone).*

) In these cases the immediate stakes were not particularly high, the risk of incurring charges that would stick were minimal, and the chances of forceful adversary response were practically nil.

* There were no ICC Teams in or near the DMZ at the time (September 1954), and the GVN's complaint to the French was not transmitted to the ICC (like so many others made at that time) partly because it was impossible to prove the charge, and partly to avoid increasing tension during the regroupment period.

During the period of withdrawals and transfers in the North, the Vietminh avoided harassing French forces in their provisional areas or during their periodic withdrawals to the South. Again, observance of the agreements served Vietminh interests. The DRV wanted to avoid a renewal of hostilities and further destruction in its zone, to impress favorably the ICC, and, presumably, to protect its own forces being transferred aboard French vessels.

When it was a question of protecting its economic interests -- the physical plant in NVN -- the DRV was willing to violate the Agreement by intervening in the civil administration of the adversary's assembly area. But even then, it chose to use "civilians" and the threat of a "spontaneous" uprising, rather than military force, to achieve its objective. When the French showed a willingness to use protective military force, and the ICC refused to back down, the provocations ceased. Evidently the DRV considered the stakes sufficiently important to justify a certain level of violation, but not important enough to risk a resumption of hostilities, possible destruction of the installations it wanted to protect, and a public condemnation by the ICC.

When it came to the final FUF withdrawals and transfers, the surprising ease and order with which they were effected was attributable to a number of factors: the joint, detailed, advance planning; the constant, joint supervision of the execution of agreed plans; the avoidance of a vacuum between the French withdrawal and the Vietminh entry into each area; the tranquilizing effect of the ICC's presence; the interest of each side in achieving a peaceful transfer; the fact that each held a trump card to deter excesses by the other (the PAVN could overrun the French, and the French could destroy the infrastructure); and last, but certainly not least in the light of the unsuccessful transfers in the South, the absence of an organized fifth-column left behind by the departing FUF to sabotage the Vietminh takeover.

The Vietminh committed their most serious and numerous violations of the terms of regroupment in trying to prevent civilians from moving to the GVN zone. Apparently in the belief that the stakes justified the risks, they were willing to use military force against the

refugees, but nonetheless tried to conceal this fact. When concealment proved impossible, they devised laws and contrived charges to camouflage their acts of deterrence and reprisal under a cloak of legality in order to avoid formal charges of violating the Geneva Agreement.

THE SUPERVISION

) There is no doubt that during the period of regroupment "a major portion of the time and energy" of the ICC was devoted to supervising implementation of the provisions for freedom of movement, as the ICC Canadian Commissioner contended. But just how effective these efforts were could not be ascertained with any degree of accuracy. In only one instance (at Phat Diem) was it clear that the ICC's intervention enabled refugees to secure the exit permits that the ICC had ruled should be issued to all those wishing to change their zone of residence.* Aside from the 8,268 inhabitants of Phat Diem, only 465 refugees, of the hundreds of thousands who passed through the Haiphong transit center, received DRV exit permits.** Therefore, one can only assume that the private remonstrances of the ICC Indian and Canadian members, the threat of public condemnation, and the ICC Mobile Team investigations (many of which were sabotaged by the Vietminh with the connivance of the ICC Poles) acted as deterrents to greater Vietminh excesses.

The ICC might have been more effective had it been differently constituted. As it was, the Communist Poles favored the Vietminh, the neutral Indians were reluctant either to condemn them publicly or formally complain to the Geneva powers for fear of increasing tensions (and also because India then favored the DRV over the GVN), and the impartial Canadians were so eager to get along with the Indians that

* Cmnd. 9461, p. 22, para. 88. This Command Paper also contains, as Appendix III, the text of the ICC's recommendations for implementation of the Geneva Agreement provisions on freedom of movement (Article 14d).

** *Les Vietminh et les Accords de Genève*, publication of the Ministry of Foreign Affairs, State of Vietnam, April 1955, p. 2.

they failed to submit their own minority report on Vietminh violations until after the regroupment period was over.*

Since the Geneva Agreement contained no sanctions for violators, and the ICC had no powers of enforcement, the Commission's only weapon was the right and duty to inform the Geneva Powers that a party was violating the Agreement and failing to comply with the ICC's rulings.**

The ICC's inability to enforce its recommendations in NVN with respect to freedom of movement, and its refusal officially to condemn the Vietminh for their violations, were major factors in convincing the GVN -- and the U.S. -- that a supervisory body composed of the ICC nations would be totally incapable of ensuring free elections in Vietnam in 1956.

Where the ICC played a more effective role was in assisting the parties in the transfer of public utilities and private industries in the North. By providing guidelines and arbitration, and by physically verifying execution of the agreements reached, it resolved impasses, reduced tensions, and helped terminate the DRV-inspired violent confrontations in Haiphong.

With respect to the withdrawal of FUF troops and the transfer of civil and military authority in NVN, the two Commands and their respective representatives on the Joint Commission assumed major responsibility for supervising implementation of these operations as well as for the planning and execution. The ICC played an essentially passive role -- one of presence more than supervision and control.

In fact, given the interests of the two parties in achieving a peaceful transition in North Vietnam, the French withdrawals and transfers might well have been effected with equal success in the absence of any international supervision had it not been for the problems raised by the attempts to remove civilian equipment and supplies from the North.

* For the ICC Canadian minority views on Vietminh obstruction of the provisions for freedom of movement, see Cmnd. Paper 9654, pp. 19-25.

) ** For further discussion of the different positions taken by the three ICC delegations, see: Lauve, RM-2967-ARPA, *op. cit.* (U), Secret, pp. 41-65 and Lauve Nutt, "The Troika Partners," in *Troika on Trial*, pp. 433ff.

THE FUTURE

In looking to the future, while recalling the past, we may anticipate that the Communists will seek to repeat tactics that earlier proved successful and reject agreements that turned out to be non-collectible promissory notes.

Specifically, we can expect them to show no interest in a cessation of hostilities, or even in discussion of possible military terms of an eventual cease-fire (e.g., PW exchanges, regroupment of forces, etc.) until there is agreement on their basic principles for a settlement, which are, as in the past, designed to facilitate the eventual unification of Vietnam under a DRV regime: immediate NLF participation in a reconstituted government of SVN, withdrawal of all U.S. forces, and NLF participation in organizing elections.

The DRV and NLF will probably continue to participate in the Paris talks as long as the U.S. is willing to do so, but may avoid serious negotiations until either domestic pressures impel the U.S. or the GVN to make further concessions, until the GVN leadership changes, or until a far greater number of U.S. troops have been withdrawn from Vietnam. Should the GVN leadership change, the Communist side will probably suggest meetings in Vietnam as well as in Paris.

They will certainly continue trying to take advantage of conflicting interests among their adversaries as they did in 1954. One might even say that there may be more conflicting interests today than there were then. By refusing to negotiate with the Thieu government, they have presumably been hoping to persuade the U.S. to negotiate secretly with them regarding the terms of a settlement, or to support a government in SVN that would accept any terms acceptable to the U.S. and the Communist side. Their tactic is also designed to persuade the people of South Vietnam that peace is within easy reach if only they will replace their current leaders with men more tolerant of the NLF.

With regard to the use of military pressure during negotiations, the Communists seem now to have two choices: On the one hand, they can use the tactic of 1954, which they have used increasingly as our military strength has grown in relation to theirs. This involves

widespread attacks on populated areas and the search for small but spectacular military victories that often have more psychological than strategic value -- e.g., the capture of a "pacified" area or a U.S. strong point. The tactic is designed essentially to impress and to intimidate the people by reminding them of the ubiquitous power and presence of the Communist forces, and the inability of their own forces to protect them -- even with the added might of the U.S.

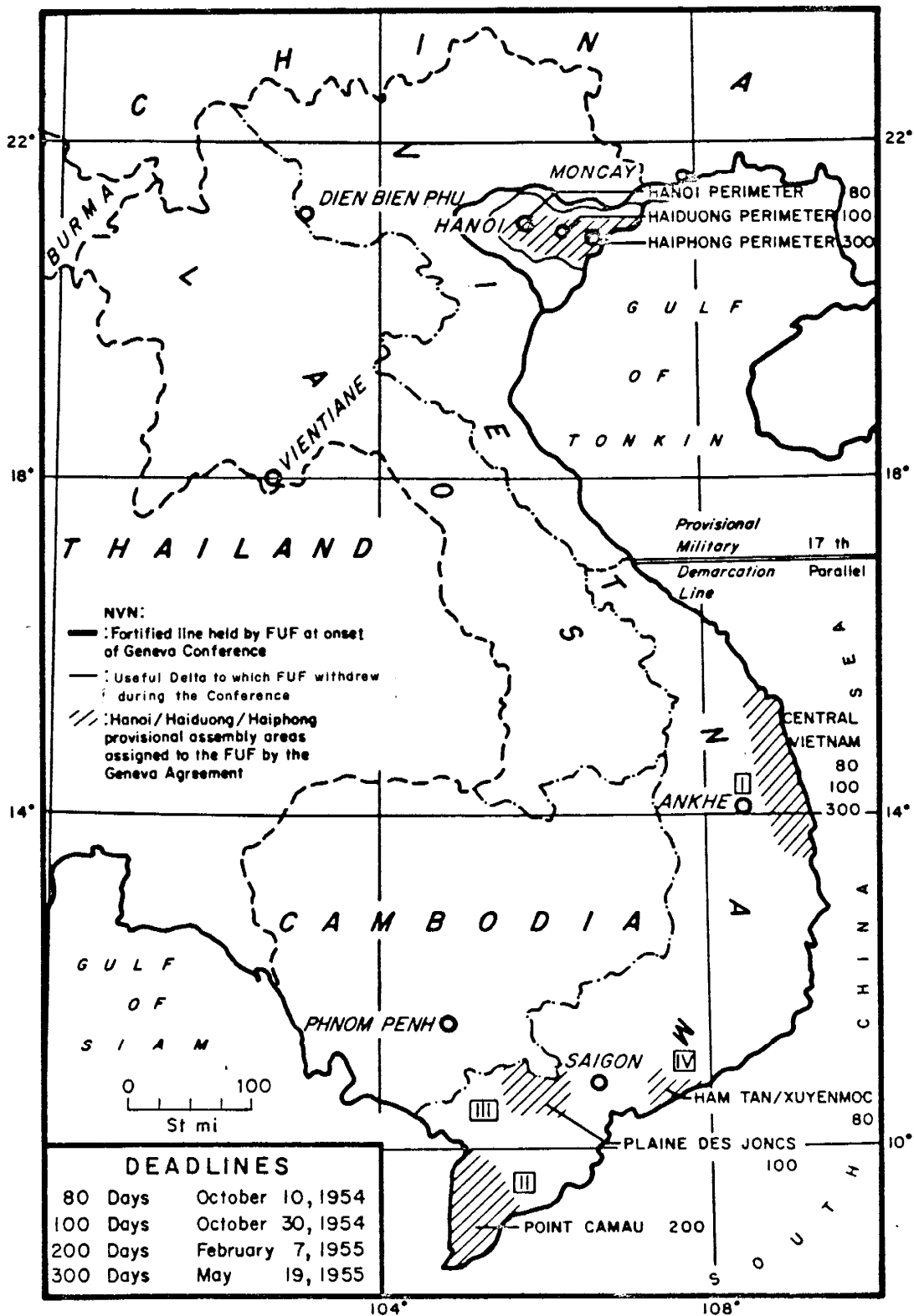
On the other hand, now that the U.S. has indicated its readiness to withdraw troops as the South Vietnamese demonstrate their own defensive capabilities, the DRV and NLF may decide to avoid trying to show up the weaknesses of the ARVN forces in the hope that the U.S. will withdraw all, or most, of its combat forces more rapidly -- and that their own military and political forces will then face a lesser challenge in South Vietnam.

Whichever tactic the Communists adopt, part of their continuing military effort will probably be directed toward expanding and reinforcing areas in South Vietnam that could -- depending upon the outcome of the present conflict -- serve as regroupment areas, bases for guerrilla operations, or nuclei for a *de facto* partitioning of South Vietnam (as was the case with two provisional regroupment areas in Laos -- Sam Neua and Phong Saly -- after the 1954 Conference). Areas selected for this purpose are apt to be those long under VC control, and with relatively secure resupply routes and ready access to sanctuary.

Of one thing we may be reasonably certain: The PAVN and the VC will neither withdraw nor regroup their forces in exchange for the promise of an agreed political settlement. In 1954, the DRV withdrew its forces from the South in the belief that France and the other Geneva Powers could, and would, compel the GVN to comply with the provisions for elections contained in the Final Declaration of the Conference. But in view of subsequent events, they are not apt to follow that route again. In fact, it is highly unlikely that the majority of PAVN forces will withdraw from the South, or that VC forces will relinquish any areas under their control at the time of a cease-fire, until the NLF has actually had experience in operating openly as a political party and

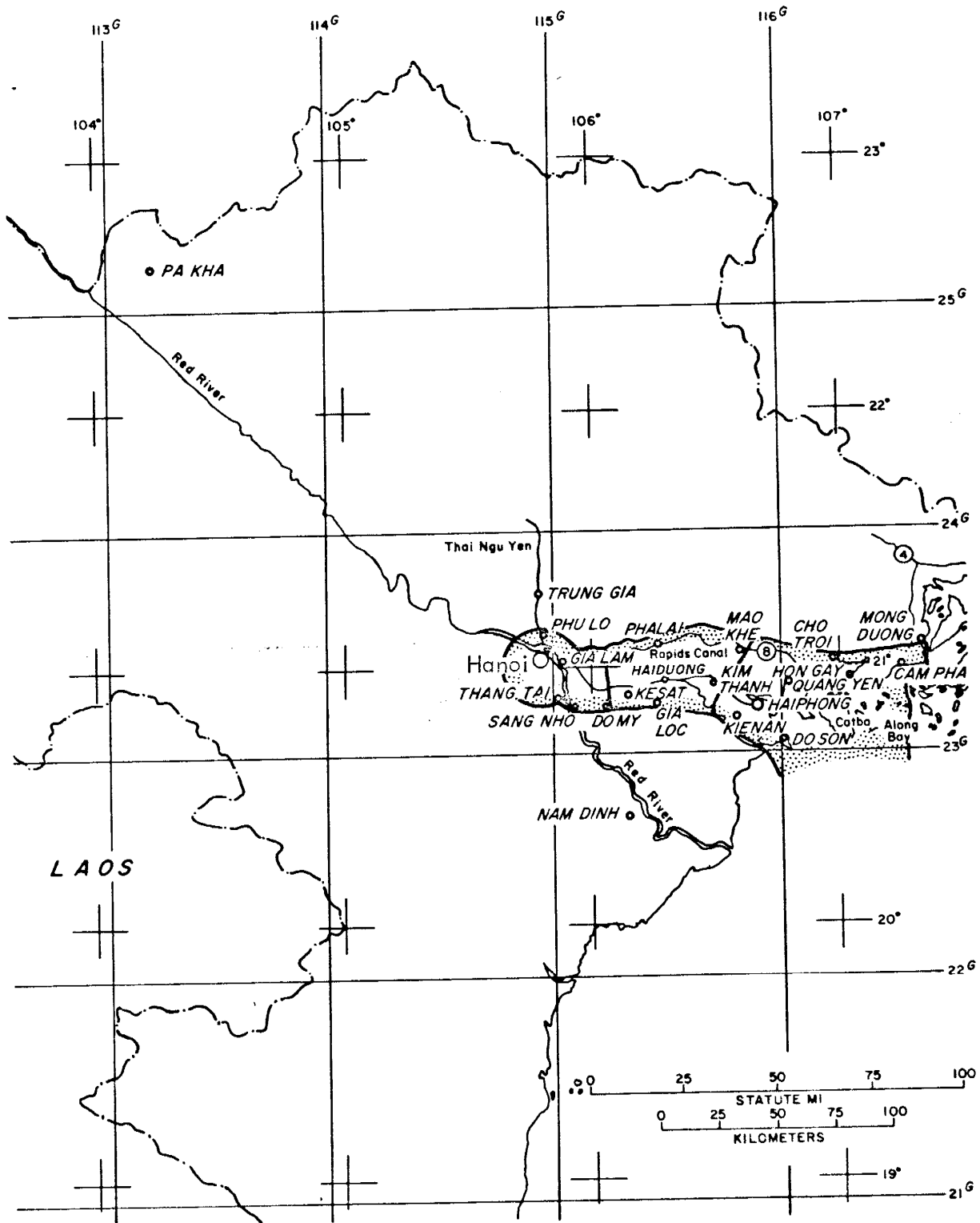
has secured representation in the GVN commensurate with the role it intends to play in South Vietnam's political life. For even if the NLF should be taken into the government prior to elections, PAVN forces may be expected to remain in the south -- overtly or covertly -- until elections are held. What they and the VC forces do thereafter will no doubt depend upon the outcome of the elections.

Appendix I



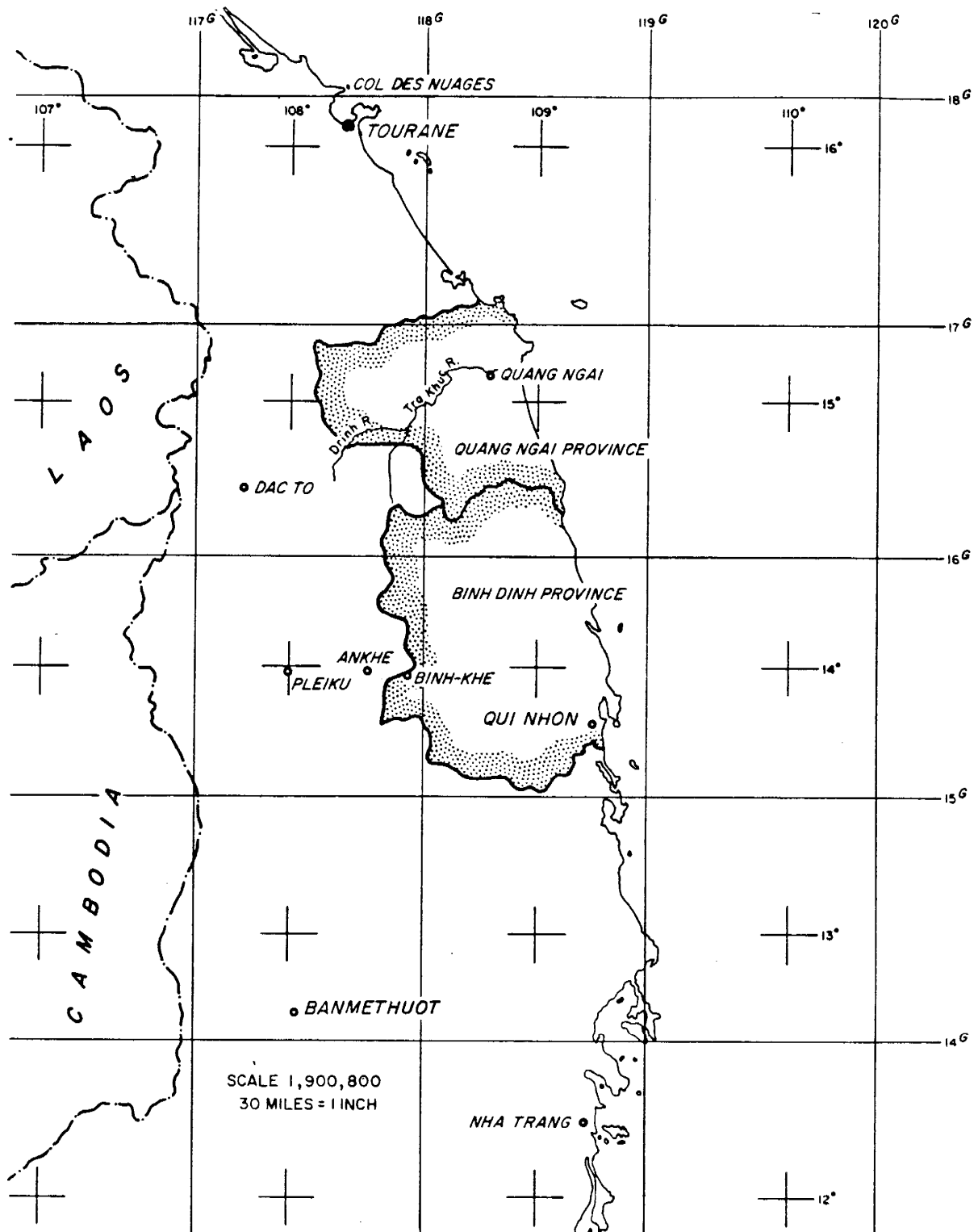
Appendix I—Vietnam Provisional Assembly Areas

Appendix II



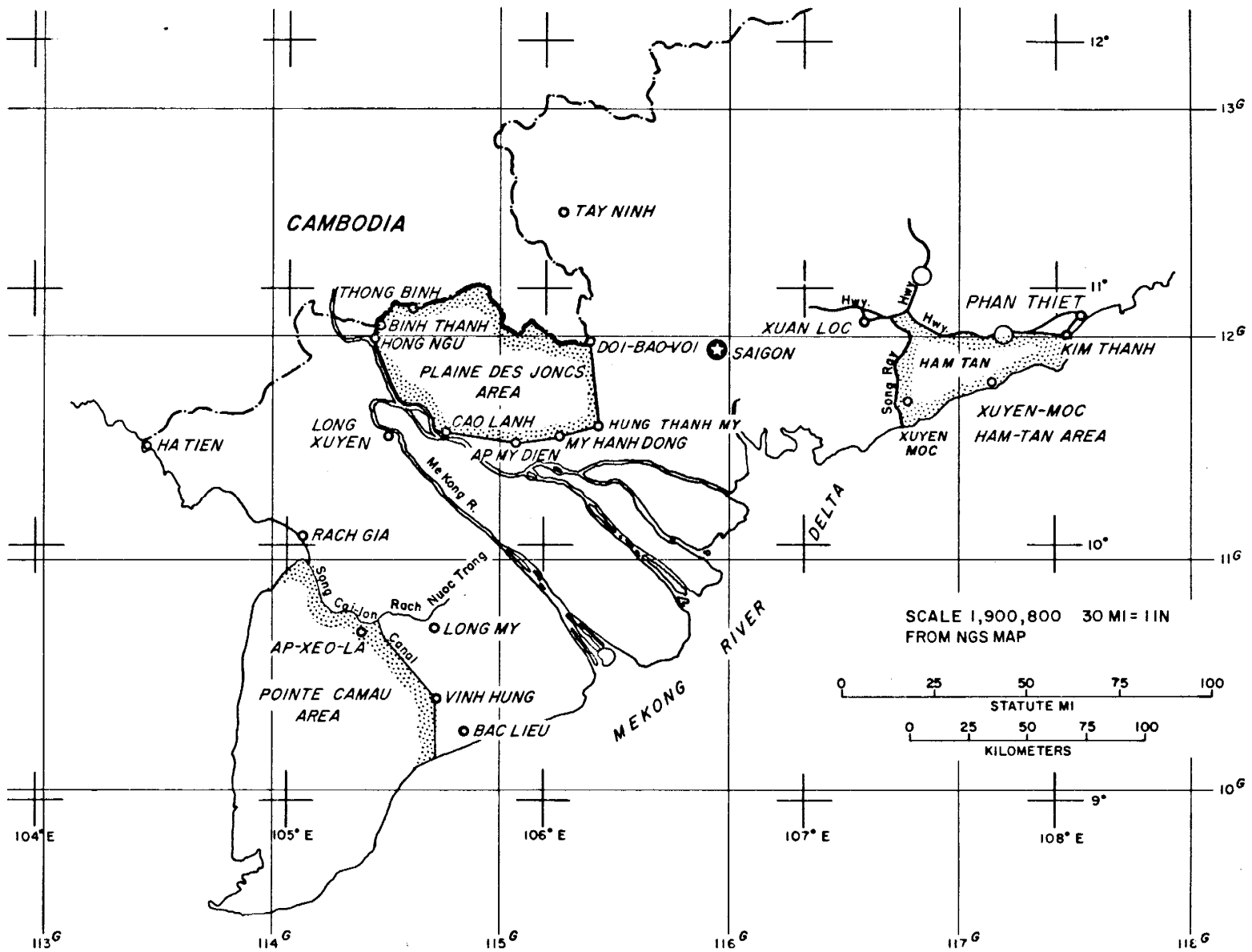
Appendix II--FUF Provisional Assembly Areas in NVN

Appendix III



Appendix III—PAVN Provisional Assembly Areas in CVN

Appendix IV



Appendix IV—PAVN Provisional Assembly Areas in SVN

Appendixes V through X to this study are
translations of
Government documents

French

Appendix V

DECISION NO. 12^{*}

Attached - 3 Annexes

Central Joint Commission for Vietnam

TRANSFER OF TROOPS OF THE FRENCH UNION AND
OF THE PEOPLE'S ARMY OF VIETNAM

In execution of Article 15, Chapter II, of the Agreement on the Cessation of Hostilities in Vietnam, the Delegation of the High Command of the French Union Forces and the Delegation of the High Command of the People's Army of Vietnam have decided as follows:

ARTICLE 1. After an exchange of views, the two parties have recorded the plan to transfer, south of the provisional military demarcation line, troops, supplies, and military equipment of the French Union Forces presently stationed north of that line.

This plan is the subject of Annex No. 1 of the present Agreement.

ARTICLE 2. After an exchange of views, the two parties have recorded the plan to transfer, north of the provisional military demarcation line, troops, supplies, and military equipment of the People's Army of Vietnam presently stationed south of that line.

This plan is the subject of Annex No. 2^{**} of the present Agreement.

ARTICLE 3. The PAVN will transfer, north of the provisional military demarcation line, fully equipped units, supplies and military equipment, personnel composed of cadres of the civil administration and of popular organizations, recently liberated prisoners of war, and dependents of military personnel presently south of this line. These personnel and cargo appear in the transfer plan furnished by the PAVN. The High Command of the French Union Forces has agreed to supply, to the extent available, the assistance that the PAVN may require in terms of transport.

The PAVN shall attempt to supply supplementary means to enable the transfer to be effected within the time set by the Geneva Agreement, and to lighten the assistance rendered by the French Union Forces.

When the PAVN has these means available, the two parties shall jointly develop a Transport Plan that corresponds to the anticipated number of people to be moved. In this case,

* Unofficial translation by A. L. Nutt.

** Not reproduced.

the Commander of the French Union Forces shall continue to help the PAVN by providing, if required, supplementary fuel, gasoline, and fresh water. Lighterage facilities may also be furnished upon departure and arrival.

ARTICLE 4. The transfers thus envisaged shall be executed by implementing transport plans, for the transfer of personnel of each provisional assembly area, drawn up by the General Staff of the High Command of the French Union Forces, in accordance with principles laid down by the Central Joint Commission.

Each transport plan shall be approved by the latter.

Maritime transportation shall be effected under the conditions laid down in Annex 3* of the present agreement.

ARTICLE 5. In order to enable the two parties, and the International Commission, to supervise and control implementation of the transfer plans, at the beginning of each month each party shall inform the other party, and the International Commission, of the number of persons and tons of cargo to be transferred during that month; and at the end of each month, of the number of persons and tons of cargo actually transferred during the month elapsed.

ARTICLE 6. The details of execution shall be determined locally, within the general framework of the Transfer Plan and the individual Transport Plans, by coordination between the Territorial General Staff and the Joint Territorial Sub-Commission.

Done at Phu Lo, September 15, 1954.

Chief of the Delegation of
the High Command of the Forces
of the People's Army of Vietnam

Signed: General Van Tien Dung

Chief of the Delegation of the
French Union Forces of Indochina

Signed: p. i. Colonel Lennuyeux

* Not reproduced.

ANNEX No. 1

[to DECISION No. 12 of September 15, 1954]

TRANSFER PLAN

for the elements of the French Union Forces
stationed north of the provisional demarca-
tion line.

Personnel as of 8/31/1954 ... 132,000		Materiel as of 8/31/1954 ... 154,743 tons	
Month	Number	Month	Tonnage
September	34,000	September	25,946
October	37,000	October	24,779
November	17,000	November	18,926
December	5,000	December	25,557
January	6,000	January	23,241
February	6,000	February	18,170
March	6,000	March	18,124
April-May	21,000		

NOTE: There are approximately 16,000 military vehicles to be evacuated from North Vietnam. The rate of evacuation will be about 2,000 vehicles per month.

Aviation materiel to be evacuated consists of about 37,000 tons. All of it will be evacuated during April 1955.

Appendix VI

PROTOCOL 14*

Central Joint Commission for Vietnam

CONCERNING THE TRANSFER OF PUBLIC UTILITIES AND
PROPERTY IN THE HANOI PERIMETER

A. General Principles

1. a. The High Command of the French Union Forces is responsible for transferring public utilities and property to the High Command of the People's Army of Vietnam. It shall permit no destruction or sabotage, in conformity with the terms of Article 15d of the Geneva Agreement, and take all steps to ensure that there is no break in the transfer of responsibilities.
- b. The High Command of the French Union Forces undertakes to take the necessary steps to ensure restitution of public property, essential to the functioning of the services, which may have been evacuated or destroyed since the Geneva Agreement entered into force.
2. The High Command of the French Union Forces shall transfer to the High Command of the PAVN all public utilities and property under control of
 - o the French authorities,
 - o the Vietnamese National Government, at the national, regional, and municipal level.

The list of public utilities and property to be transferred, approved by the two parties, is attached as an annex to the present Protocol (Annex I).**

At the request of the High Command of the French Union Forces, it is specified that:

- a. The sixteen houses listed in Annex 2** shall be considered at a later date. The status quo shall be maintained until then.
- b. The status quo is maintained with respect to the Lycee Albert Sarraut and the EFEO [the French Far East School] until conclusion of an agreement between the parties.

* Unofficial translation by A. L. Nutt.

** Not reproduced.

B. Advance Administrative Detachments

1. Mission

The High Command of the People's Army of Vietnam shall send advance administrative detachments to study the operations of the public utilities, to familiarize themselves with the work of these services, and to make suitable arrangements for the official transfer.

Members of the advance administrative detachments shall engage only in activities that fall within the framework of their administrative mission.

2. Composition and Personnel

The advance administrative detachments shall consist of government employees, in civilian dress, under the supervision of one responsible person.

The latter shall get in touch with the representative of the French Union Forces' High Command, responsible for all that concerns the administrative transfer, and all problems relating to execution of the administrative detachments' mission.

The total strength of the administrative detachments shall be 432 persons (plus 53 auxiliaries). Their distribution among the various utilities and public buildings is determined according to the attached chart in Annex 4.*

3. Date of Entry

The administrative detachments shall enter each Sector of the Hanoi perimeter in two installments.

- o 2 October, for detachments scheduled to work in administrative services;
- o 5 October, for detachments scheduled to take charge of public buildings not part of any service.

The French Union Forces' High Command shall take all steps to permit these detachments to begin their work immediately after their arrival.

4. Material Provisions

- a. The French Union Forces' High Command shall reserve the Military Hospital Lanessan to house the administrative detachments.

* Not reproduced.

These shall be preceded by a group of five persons who will go daily to Hanoi, beginning on 29 September, 1954, to prepare and organize their installation.

- b. The French Union Forces' High Command shall provide security for the work sites of the administrative detachments and for their members when at their places of work in town, or when traveling to or from them.
- c. Every member of an administrative detachment must carry a *laissez-passer* issued by the Central Joint Commission, of the type usually furnished by the latter.
- d. The French Union Forces' High Command shall assist and facilitate travel of members of the administrative detachments to their places of work. For this purpose, it shall furnish the necessary means of transport.

The administrative detachments may, however, bring in some vehicles of their own.

- e. The administrative detachments of the Democratic Republic of Vietnam shall make several daily contacts, by R.N.1 or R.N.6, with their external responsible agency [outside the Hanoi perimeter]. This liaison shall be made by car escorted by French Union military police.

C. Transfer Procedures

1. Each transfer of public utilities and buildings shall be the subject of a report signed, in each instance, by the competent authorities of the two parties. This transfer shall cover the actual furnishings, buildings, personnel, archives, and current work.
2. Annexes corresponding to the headings specified above, and which shall have been subject to verification prior to signature, shall be attached to the reports.
3. Reports of transfers, which shall include the comments of each party regarding property, personnel, files, and archives transferred, shall be prepared, with annexes, in three copies in accordance with the sample form in Annex 3. *
4. The two parties shall make certain that the reports are signed in each Sector on the eve of the evacuation of French Union Forces.

However, the safety of property and utilities thus transferred shall remain the responsibility of the French Union

* Not reproduced.

Forces until such time as the latter are relieved by the forces of the People's Army of Vietnam.

D. List of Annexes

1. Public utilities and properties transferred to the High Command of the People's Army of Vietnam.
2. List of sixteen houses.
3. Sample of a transfer report.
4. Distribution of personnel of the administrative detachments.

Done at Phu Lo, 2 October 1954

Chief of the Delegation of
the High Command of the
People's Army of Vietnam

Signed: General Van Tien Dung

Chief of the Delegation of
the High Command of the
French Union Forces of Indochina.

Signed: General Delteil

Appendix VII

PROTOCOL 13*

Central Joint Commission of Vietnam
CONCERNING THE MILITARY AND POLICE TRANSFER
OF THE HANOI PERIMETER

A. General Principles

In execution of the provisions of Articles 12, 14-b, 15-c, and 15-d of the Geneva Agreement on the Cessation of Hostilities in Vietnam, the following is determined:

1. Transfer of the Hanoi perimeter shall take place in order and safety. The two parties shall not engage in any act of aggression, and shall permit no sabotage or destruction of public property, nor any act of a nature to cause injury to the life and property of the population.
2. The transfer shall take place in such a manner that order shall be assured, without a break, within the Hanoi perimeter.

B. Military Transfer

1. The Hanoi perimeter is divided into 4 Sectors to be transferred successively:
 - (a) Sector A includes the territory situated between the limits of the Hanoi perimeter and:
 - North of the Red River, a line running through Vinh Thanh (on the Red River) Ngoai Sat -- the length of the canal of Ngoai Sat to Xong Thap, a line going from Xong Thap to Dai-Vi-Trung.
 - South of the Red River: the canal of Song Nhue Giang (excluded), a line running from the east bend of Ngoc-Truc to the bend of the canal of To-Lich south of the village of Vuc-Thon, the course of the canal of Lo-Lich as far north as Yen-Nguu, the parallel 2317.
 - (b) Sector B includes the territory situated between the above limits and:
 - North of the Red River: the channel of the Canal des Rapides.
 - South of the Red River: the circular road (excluded).

* Unofficial translation by A. L. Nutt. Because of the bewildering numbers of subheadings inconsistently designated by letters and numbers, the translator has omitted some of these designations for the sake of clarity.

- (c) Sector C includes the suburban zone and the City of Hanoi proper, including the Doumer bridge as far as the fourth pillar, starting from the northeast abutment.
 - (d) Sector D includes the territory located between the Canal des Rapides, the Red River, the southern limits of the perimeter of Hanoi, and line B.
2. Dates for the evacuation of French Union Forces and the transfer of the perimeter of Hanoi to the People's Army of Vietnam:
- Sector A: October 6, 1954
 - Sector B: October 8, 1954
 - Sector C: October 9, 1954
 - Sector D: October 10, 1954

The time of entry of PAVN forces into Sectors A, B, and D, as well as the time of transit through the principal points shall be fixed by the Sub-Commission of North Vietnam after agreement with the local Commands of each party.

3. Machinery for the transfer of the suburban zone and the City of Hanoi:
- (a) Hanoi is divided into two parts, each one being divided in turn into 6 Segments (See Annex I).
 - (b) Evacuation of the first Segment shall begin at 0700 (Saigon time) on October 9, 1954. The evacuation must be completed by 1750 (Saigon time) on 9 October 1954.
 - (c) The specific machinery for the transfer by Segments is given in Annex I.
4. Military installations occupied by the French Union Forces shall be guarded by the latter until the moment of transfer to the People's Army of Vietnam. These installations shall be transferred in a condition conforming to the master plan (Annex II)* to which brief inventories are attached. The guards shall be relieved.

Civilian as well as military cemeteries in the Hanoi perimeter shall be transferred under the same conditions as other installations. The High Command of the People's Army of Vietnam undertakes to leave them in place, and to maintain them until the special arrangements referred to in Article 23 of the Geneva Agreement have been jointly developed by the Central Joint Commission.

* Not available.

5. The French Union Forces shall, if relevant, turn over to the People's Army of Vietnam the plan of mines laid, booby traps, and dangerous explosives. The French Union Forces shall remove or neutralize all these devices. Signs shall indicate places where it has not been possible to do so.

C. Transfer of Police

1. Responsibility for the maintenance of order and security in each Segment shall be assumed progressively by the forces of the People's Army of Vietnam as they take over, step by step.
2. Police transfers shall cover the furnishings and buildings of the police headquarters and police stations in the city, the various regulations relating to the regular service, and current cases.
3. Each transfer must be handled by a competent authority from the level of the ward ["arrondissement"] police commissioner and above.
4. Each transfer shall be the subject of a written report that shall include comments by the responsible parties of the two sides.

D. Advance Detachments of the People's Army of Vietnam

1. Mission:

The mission of the Advance Detachments of the Government of the Democratic Republic of Vietnam is to familiarize themselves with the services, and prepare to assume responsibility, after the departure of the French Union Forces, in order to avoid a break in the maintenance of order in Hanoi. They shall not interfere with the functions being performed by the French Union Forces.

2. Personnel:

The Advance Detachments of police of the People's Army of Vietnam shall include:

	158 civil police
	202 military police (including 3 cadres)
Total:	360 (see the distribution in Annex III*)

To these detachments are added:

- An advance detachment of military police of 12 men to guard the interior of buildings housing the advance administrative detachment;
- service personnel (interpreters, cooks, secretaries, chauffeurs, etc...) calculated on the basis of one man per 8 police (45 persons).

* Not reproduced.

3. Arms:

- Civilian police shall be armed with a pistol and two clips.
- Military police shall be armed with a "PM" and 4 clips.
- Office personnel and service personnel, etc., shall not be armed.

4. Insignia and *Laissez-Passer*:

Civil and military police of the advance detachment of police of the Government of the Democratic Republic of Vietnam shall wear special insignia and carry orders issued by the Territorial Joint Sub-Commission of North Vietnam.

5. Entry dates of the advance detachments (including the necessary proportional service personnel):

- for the civil police: 5 October 1954
- for the military police: 8 October 1954
- for the military police responsible for guarding the interior of quarters of the advance administrative detachment: 2 October 1954

6. Provisions for liaison trips and for protection of the advance detachments of police:

Members of the advance detachments of police of the Democratic Republic of Vietnam shall not circulate in town, except when necessary for the transmittal of orders and for internal liaison.

They shall then be accompanied by members of the French Union Forces.

Military police shall not circulate in town. Chiefs of Detachments, or their liaison agent, escorted by members of the French Union Forces, may make contact with their various detachments throughout the city.

French Union Forces are responsible for the security of these detachments inside buildings, and when circulating, no matter how many persons are involved. These detachments may make use of their arms for the defense of their quarters. Police shall circulate in town unarmed.

The advance DRVN police detachments shall establish one or two daily contacts with the Command of the People's Army of Vietnam outside on R.N.1 [outside the Hanoi perimeter]. This liaison shall be made by car, escorted by French Union military police.

Transportation of the advance detachments of police in Hanoi shall be provided by French Union Forces from a point inside the demilitarized zone,* to be determined later. The advance detachment of police of the Democratic Republic of Vietnam shall bring with it 4 service vehicles and 4 command vehicles.

The advance detachments of police and security shall be housed in those buildings that they will guard after the departure of the French Union Forces, and in separate quarters insofar as possible.

Done at Phu Lo, 30 September 1954

Chief of the Delegation of
the High Command of the
People's Army of Vietnam

Chief of the Delegation of
the High Command of the French
Union Forces of Indochina

Signed: General Van Tien Dung

Signed: General Delteil

* This refers to the 1,500 meter DMZ around the Hanoi/Haiduong/Haiphong provisional assembly area.

ANNEX No. 1

[to PROTOCOL No. 13]

MILITARY AND POLICE TRANSFER

1. Designation of Segments and Time Schedule (See chart)*

The city of Hanoi is divided into two Parts, P.1 and P.2. Each Part is divided in turn into 6 Segments delimited by lines A.1, A.2...in Part 1; and by B.1, B.2...in Part 2.

Time schedule for the evacuation of Segments: (Saigon time)

<u>Hour</u>	<u>P.1</u>	<u>P.2</u>
0700	A.1	B.1
0800	A.2	B.2
0900	A.3	
1100	A.4	
1130		B.3
1230		B.4
1530	A.5	B.5
1730	A.6	B.6

2. Machinery for the Transfer of Each Segment

A certain number of meeting points between liaison officers of the two parties (numbered P.1 to P.20 on the plan) are designated along each line delimiting a Segment.

Liaison officers shall meet at the designated points 15 minutes before the evacuation of a Segment begins. However, the meeting shall take place 30 minutes beforehand with respect to Segments A.3, B.2, and B.4; and one hour beforehand with respect to the first line (A.1 and B.1).

In order to facilitate meetings at the points of contact, each party shall carry a signal of recognition determined in advance (a green flag 30 cm x 40 cm). Furthermore, the Joint Group (control team of the Joint Commission) shall take steps to make certain that the two parties meet.

* This refers to Annex III, not reproduced.

The liaison officer of the French Union side is responsible for guiding the supplementary guard and administrative detachments of the DRVN to the specified locations in each Sector where, joining any advance detachments that may already be there, they shall then take over the responsibilities.

At each location, troops of the French Union shall transfer to forces of the PAVN the responsibility for guarding and using the buildings. If relevant, they shall indicate places, clearly marked, where mines are located, as well as the mining plans of the site.

After transferring the responsibility for guarding a site, French Union troops shall withdraw.

The transfer of responsibility for a Segment shall end no later than the time schedule indicates.

The transfer of public utility installations shall be specified in the chapter on administrative transfers.

3. The meeting points of liaison officers, and the military installations that troops of the People's Army of Vietnam will occupy, are shown on the map.*

* Not available.

Appendix VIII

DECISION No. 15*

Central Joint Commission for Vietnam

CONCERNING THE CONTROL OF OPERATIONS FOR THE TRANSFER
OF THE HANOI PERIMETER

REFERENCE: Protocol of 30 September 1954**

- I. The Territorial Joint Sub-Commission of North Vietnam is responsible for ensuring implementation of the terms of the Protocol of 30 September 1954, establishing conditions for the transfer of territory, and of services of law and order in the Hanoi perimeter.

It will have at its disposal:

- The number of Joint Groups it deems necessary for the control of transfer operations of Sector A, on 6 and 7 October, and of Sector D, on 10 October.
- Ten Joint Groups on October 8, as of 8 A.M. (Saigon time), to control transfer operations of Sectors B and C.

These groups shall:

- put the liaison officers of the two parties in touch at points and at hours indicated in Annex 1 of the Protocol;***
- ensure respect for the time schedules and lines provided for affecting the transfer of Hanoi;***
- resolve on the spot, by means of negotiation, incidents that might arise in connection with implementing the terms of the Protocol of 30 September. **

The Territorial Joint Sub-Commission shall accordingly meet at:

- Bach Mai (air terminal) on 6, 7, and 8 October;
- the Control Station of Hanoi, on 9 October;
- Gia Lam (air terminal), on 10 October.

* Unofficial translation by A. L. Nutt.

** This refers to Protocol No. 13.

*** Delimiting lines of Sectors and Segments.

II. In addition, the Sub-Commission of North Vietnam shall have at its disposal a wing of four Joint Groups that shall be installed in the "Palace of Finances" (Blvd. Pugnier):

- on 2 October at 8 A.M. (Saigon time): two Joint Groups at the disposal of the two parties' experts responsible for the transfer of administrative responsibilities;
- 5 October at 8 A.M. (Saigon time): two Joint Groups to resolve any incidents that might arise in connection with the transfer of responsibilities of the municipal police which the chiefs of detachments had not been able to resolve. (One of these Groups will be used from 8 October to resolve incidents of the same type with regard to military police detachments.)

III. Chiefs of detachments of the municipal police and of the military police of the People's Army of Vietnam, and the responsible official on the side of the French Union Forces, shall meet at Phu Lo on 4 October 1954, at 9 A.M. (Saigon time).

IV. Furthermore the Commands of the French Union Forces and of the People's Army of Vietnam shall request the International Control Commission to maintain in readiness five Mobile Teams to provide, if necessary, supervision of the transfer operations within the Hanoi perimeter. These teams shall work in liaison with the Joint Groups referred to in the preceding paragraphs:

- 1, specialized in questions relating to the transfer of police;
- 2 specialized in questions relating to military transfers;
- 2 specialized in questions relating to the transfers of territory in the city of Hanoi (Sector C).

Done at Phu Lo, 30 September 1954

Chief of the Delegation of
the High Command of the
People's Army of Vietnam

Signed: General Van Tien Dung

Chief of the Delegation of
the High Command of the
French Union Forces of Indochina

Signed: General Delteil

Appendix IX

PROTOCOL 29

CONCERNING THE TRANSFER OF CIVIL ADMINISTRATION
IN THE HAIPHONG PERIMETER*

I. General Framework of the Transfer

- A. In implementation of Articles 14b and 15d of the Geneva Agreements, the High Command of the French Union Forces is responsible for transferring to the High Command of the People's Army of Vietnam the civil administration in the Haiphong perimeter, and for taking all necessary steps to avoid a break in the transfer of responsibilities.
- B. The High Command of the French Union Forces undertakes:
 - a. to permit no act of destruction or sabotage with respect to public property;
 - b. to permit no removal of public property that, by interrupting the operations of public services or causing an appreciable reduction in their level, or in any other way, would result in injury to the life or property of the civil population, or would interfere in the functioning of the local civil administration.
- C. The High Command of the French Union Forces undertakes to take all necessary steps to ensure restitution of public property, essential to the functioning of services, which may have been removed or destroyed since the Geneva Agreements entered into force.
- D. Article 15d of the Geneva Agreements applies in full to private enterprises of public interest.

II. Public Services and Properties to be Transferred

- A. The following properties are considered public property:
 - 1. Property belonging to the State or to public institutions, including municipal property.

With respect to institutions subsidized by the State, or by municipalities, there will be marginal cases that must be the subject of a Recommendation from the International Commission on the basis of special facts in each case.

* Unofficial translation by A. L. Nutt.

2. Public utilities managed by the State;
 3. Files and documents required for the effective operation of these services. This will include the archives needed to work in these services, with the exception of personnel files of those employees leaving Haiphong, and police files.
- B. The list of public utilities and public institutions to be transferred, duly approved by the two parties, is attached as an annex to the present Protocol (Annex I).*
- An inventory of each service has been established by the High Command of the French Union Forces for all properties to be transferred. These inventories shall be attached as an annex to the present Protocol (Annex II).*
- C. The volume of reserves retained for each enterprise shall be determined by applying the clauses of the contracts. In all cases not covered, the volume shall be determined by agreement between the parties; in principle, it must meet the needs of the enterprises for a period of three months. In case of disagreement, the International Commission shall recommend to the two parties the volume of reserves and spare parts to be left behind.
- D. The High Command of the French Union Forces must inform the PAVN of positions left vacant by government employees not remaining in Haiphong in time to permit the PAVN to plan for replacements in order to avoid a break in the transfer of responsibilities.

III. Conditions of Transfer

The transfer covers the preparations for transfer and the official takeover.

The High Command of the PAVN shall send advance administrative detachments to study the operations of the public utilities, become familiar with the work of the said services, and arrange favorable conditions for the official transfer.

Advance administrative detachments are composed of government employees in civilian dress, placed under the direction of a general supervisor and a Sector supervisor in each Sector. They shall engage only in activities within the framework of their administrative mission. They shall keep in touch with their opposite numbers of the French Union Forces.

After completing advance arrangements, the advance administrative detachments shall sign reports of transfers on the dates indicated.

* Not available.

IV. Execution of the Transfer

A. Material Conditions

1. Each member of the advance detachments shall carry a *laissez-passer* issued by the Central Joint Commission.
2. The High Command of the French Union Forces shall assist and facilitate the travel of members of administrative detachments to their places of work. These detachments shall use, in part, their own means of transportation; the French Union side shall do everything it can to supply the additional means needed (to be determined by the two parties).
3. The High Command of the French Union Forces is responsible, for the security of the administrative detachments quarters, and for that of their members when at work and going to and from work.
4. Liaison: Liaison officers of the DRVN administrative detachments may make two daily contacts with their external Command using R.N.5-R.P.10-R.P.18 and the Kien An road toward An Luan (except for the Campha Mines and Campha Port, where liaison shall be made once a day).
 - Food supplies may be secured once a day.
 - These trips shall be made by car or possibly by rail.
 - French Union Forces shall provide security during the trips.

B. Advance Administrative Detachments

1. The advance administrative detachments shall be distributed among the Sectors in accordance with the following chart.
2. The High Command of the French Union Forces shall take all necessary steps to enable these detachments to begin their work immediately upon arrival.
3. To settle any problem relating to the accomplishment of the administrative detachment's missions in each Sector, the responsible official shall get in touch with the representative of the High Command of the French Union Forces responsible for the administrative transfer in that Sector.

SECTOR	Personnel			Date of Entry	LOCATION
	Admin. Det.	Auxil.	Chauffeurs		
Campha Port	13	2	)	April 18	Campha-Port, Bâtiment de la Sûreté.
Campha Mines	9	1	)	April 18	Campha-Mines, Bâtiment SFCT
Hongay	17	2	) 15	April 20	Hongay, Hôtel des Mines
Vatchay	6	1	)	April 20	Vatchay, Bâtiment des Eaux et Forêts
Quang Yen	47	6	)	April 21	Quang Yen, Bâtiment des Eaux & Forêts, Sce Vétérinaire
Kien An	46	6	)	May 6	Kien An, Bât. de la Garde Mobile
Thuong Ly)	311	40	)	May 5	) Hai-(Camp Sauvage, Con-
)			)		) cession,
Hai Phong )			) 65		) Phong (P.C. de l'Arti-
)			)		) lerie
Hoi An	26	3	)	May 8)
Kien Thuy	4	1	)	May 10	Haiphong, "
Do Son	15	2	)	May 11	Doson, Centre d'Instruction
Cac-Ba	6	1		May 12	Cac-Ba, Bât. des Douangs
	500	65	80		

Their distribution among the various services and public buildings is established in accordance with Annex I * (last column).

* Not available.

C. Transfer Documents

1. A report on the transfer of each service shall be signed by the responsible and technically qualified authorities of the two parties. This transfer shall include specifically the following headings: furnishings, buildings, files, current work, number of remaining personnel.
2. Annexes shall be attached to the reports giving details of the transfer under the above headings. These documents shall be verified before signatures are affixed.
3. The reports of transfer shall include comments and reservations of each party concerning property, files, documents, work being transferred, and remaining personnel. The reports and their annexes shall be prepared in three copies in accordance with the sample provided in Annex III.*
4. The two parties shall see that the reports are signed no later than 2000 (local time) on the eve of evacuation of each Sector by the French Union Forces. However, the French Union Forces shall continue to be responsible for the security of properties and services until the moment of the official takeover by the PAVN in each Sector.

V. List of Annexes

Annex I -- List of public utilities, public institutions, public buildings to be transferred, and distribution of administrative detachments.

Annex II -- Inventory, by service, of public property to be transferred.

Annex III -- Sample report of a transfer.

The present Protocol and its Annexes are drafted in Vietnamese and in French and signed by the two parties, the two texts being equally valid.

Done at Quynh Khe 11 April 1955.

The Chief of the Delegation
of the High Command of the Forces
of the People's Army of Vietnam

Signed: Gen. Van Tien Dung

Chief of the Delegation of the
French Union Forces of Indochina

Signed: p. i. Colonel de Brebisson

* Not available.

Appendix X

PROTOCOL 30*

Central Joint Commission of North Vietnam

CONCERNING THE MILITARY AND POLICE TRANSFER OF THE AREA
INCLUDED WITHIN THE HAIPHONG PERIMETER

A. General Principles

In implementation of the terms of Articles 12, 14b, 15c, and 15d of the Geneva Agreement on the Cessation of Hostilities in Vietnam, the following is laid down:

1. The transfer of the area included within the Haiphong perimeter shall take place in order and security. The two parties shall commit no hostile act nor permit any act of destruction or sabotage of public property, or of a nature to cause injury to the life and property of the civilian population.
2. The transfer shall take place in such a manner as to avoid a break in the maintenance of order in the area included within the Haiphong perimeter.

B. Military Transfer

1. The Haiphong enclave is divided into eleven sectors to be transferred successively.
 - 1/ Sector 01 - includes CAMPHA-PORT, CAMPHA-MINES
 - 2/ Sector 02 - includes HONGAY, VATCHAY, R.P.18
 - 3/ Sector 03 - includes QUANG-YEN
 - 4/ Sector 04 - includes the Western region: the line DONG HA, MUI-VOI, DADO
 - 5/ Sector 05 - includes KIEN-AN, VAT-CATCH-THUONG
 - 6/ Sector 06 - includes THUONG-LY
 - 7/ Sector 07 - includes the city of HAIPHONG
 - 8/ Sector 08 - includes the region of KIEN-THUY
 - 9/ Sector 09 - includes DO SON
 - 10/ Sector 010 - includes the island of CAC-BA
 - 11/ Sector 011 - includes the anchorage zones in the Bay of LAN-HA

* Unofficial translation by A. L. Nutt.

2. Dates of the withdrawal of French Union Forces and of the transfer of the Haiphong perimeter to the People's Army of Vietnam:

-- Sector	01: 22 April 1955
-- "	02: 24 " "
-- "	03: 25 " "
-- "	04: 28 " "
-- "	05: 10 May "
-- "	06: 12 " "
-- "	07: 13 " "
-- "	08: 14 " "
-- "	09: 15 " "
-- "	010:) 16 " "
-- "	011:)

French ships may use the Cua-Nam-Trieu until 15 May 1955 inclusive. In case of bad weather, or of engine trouble aboard one or more ships, French Union Forces may anchor in the Bay of Lan-Ha (Sector 011) until 18 May inclusive. In case of emergency, such as major engine damage, or a typhoon that might delay embarkation at the Port of Haiphong or at Do Son beachhead, the International Commission shall study the question and assist the two parties in settling it.

Evacuation time table: In principle, French Union Forces shall begin the evacuation of each sector at 0700 (Saigon time), and shall finish at various hours depending upon the size of the territorial sector to be evacuated, without however, exceeding the deadline of 1700 (Saigon time).

Exceptions are made for the Thuong-Ly section (Sector 06) and Haiphong (Sector 07). See paragraph III,* items 1 and 2 below.

3. Machinery for transferring the City of Haiphong

1) Thuong-Ly section

- a) Evacuation of the Thuong-Ly section shall begin at 0600 (Saigon time).
- b) The specific transfer machinery is described in Annex I.**

2) City of Haiphong:

- a) Haiphong is divided into two parts, each part being, in turn, divided into four segments (See Annex I).

* Should read, 3. (Translator's note).

** Not reproduced.

- b) Evacuation of the first segment shall begin at 0600 (Saigon time), 13 May 1955. The evacuation must be completed by 1700 (Saigon time).
 - c) The specific machinery for the transfer of segments is described in Annex I.
- 3) Southern portion of the city of Haiphong as far as Lach-Tray:
- a) Evacuation of the southern portion of the city of Haiphong shall begin at 0600 (Saigon time).
 - b) The specific transfer machinery is described in Annex I.
- 4) Military installations occupied by French Union Forces shall be guarded by the latter until such time as they are transferred to the People's Army of Vietnam. The condition of these installations when transferred shall conform to the master plans (Annex II),* to which are attached brief reports on the condition of the sites. The guards shall be relieved.

Troops guarding the important bridges of the Route des Eaux, and the perimeter of Haiphong shall be relieved progressively as French Union Forces withdraw.

The two parties are not in agreement with regard to the inventory of military property given in Annex II bis* of the present Protocol. They have therefore decided to seek ICC arbitration in this matter. Depending upon the results of this arbitration, a supplement may eventually be added to Annex II bis. Military property appearing in Annex II bis, and in a possible supplement, shall be transferred to the PAVN under the same conditions as the military installations.

Both civilian and military cemeteries in the Haiphong perimeter shall be transferred under the same provisions as other installations. The High Command of the People's Army of Vietnam undertakes to leave them, and to maintain them as provided in the Agreement on graves.

- 5) The French Union Forces shall, if relevant, give the People's Army of Vietnam plans of mine fields, booby traps, and dangerous explosives. French Union

* Not reproduced.

Forces shall remove or neutralize all such devices. Signs shall indicate locations where it has been impossible to remove the mines.

- 6) The responsibility for maintaining order and security in each sector shall be assumed progressively by forces of the People's Army of Vietnam as they take over.
- 7) In the course of successive transfers, wherever the provisional demarcation line is not indicated by a natural obstacle (in particular, by a body of water) a 200 meter demilitarized zone shall be established on either side of the provisional demarcation line.
- 8) Implementation of Transfer and Control
 - a) To permit precise coordination between the withdrawal plans of the French Union Forces and the entry plans of PAVN forces, and to avoid the possibility of regrettable incidents, in each territorial sector liaison officers shall meet in accordance with the withdrawal plan in Annex I. Signal of recognition: a green flag.
 - b) Joint Mobile Groups shall be designated and assigned by the Territorial Sub-Commission of North Vietnam to
 - organize meetings between liaison officers of the two parties;
 - ensure the withdrawal and advance of troops of the two parties in accordance with the fixed time table;
 - negotiate and jointly resolve any incidents.
 - c) The Central Joint Commission shall suggest to the International Commission that in order to be familiar with the operation it provide Mobile Control Teams during the transfer days.
 - d) To facilitate control of operations and to resolve various matters, the Territorial Joint Sub-Commission of North Vietnam shall meet beginning on 22 April 1955, in the locations it shall itself choose, in order that it may follow closely the various phases of the transfer operations for each sector.

C. Advance Detachments of the People's Army of Vietnam

Mission

The mission of the advance detachments of the Government of the Democratic Republic of Vietnam is to familiarize themselves with the services and prepare to assume responsibility after the departure of the French Union Forces in order to avoid a break in the maintenance of order in the Haiphong area.

They shall not intervene in the functions being performed by the French Union Forces.

Personnel

The advance detachments of Police of the People's Army of Vietnam shall consist of:

a) 200 civil police distributed as follows:

HAIPHONG	:	114
HAI-AN	:	22
KIEN-AN	:	20
QUANG-YEN	:	22
HON-GAY	:	14
CAMPHA MINES	:	4
CAMPHA PORT	:	4

b) 645 military police distributed as follows:*

CAMPHA PORT	:	15
CAMPHA MINES	:	12
HON GAY	:	22 (incl. 1 officer and 1 cadre)
VATCHAY	:	10
UONG BI	:	4
QUANG YEN	:	62
Dist. of YEN HUNG	:	12
PHI LIET	:	4
Dist. of KINH MON	:	12
Dist. of KIM THANH	:	12
Dist. of AN LAO	:	12
KIEN AN	:	47 (incl. 1 officer and 1 cadre)
Dist. of AN DUONG	:	12
Dist. of KIEN THUY	:	12
Cimenterie	:	90
HAIPHONG	:	294 (incl. 3 officers)
HAI AN	:	12
DO NGHI	:	3
NUI DEO	:	10
Dist. of CAT HAI	:	12

* The succeeding figures total 705 (Translator's note).

HON DAU (lighthouse)	:	12
CAC-BA	:	12
NORTHWAY (Lighthouse)	:	12

To these Detachments are added:

- 1) an advance detachment of military police consisting of 13 men, including one cadre, to guard the interior of buildings, housing the Advance Administrative Detachments in Haiphong; four men, including one cadre, for each of the following centers: HON GAY, QUANG YEN, and KIEN AN; and 8 men, including one cadre, for DO SON.
- 2) service personnel (interpreters, cooks, secretaries, chauffeurs, etc.) calculated on the basis of one man for 8 police (3 for HONGAY, 10 for QUANG YEN, 8 for KIEN AN, 55 for HAIPHONG).
- 3) an advance detachment consisting of 28 officers responsible for taking over the military domain, and distributed as follows:

-- CAMPHA HONGAY	:	2	officers
-- QUANG YEN	:	2	"
-- NUI DEO - TRINH XA	:	2	"
-- KIEN AN - VAT CACH THUONG	:	2	"
-- DO SON	:	2	"
-- NUI-DOI	:	2	"
-- APPOWAN	:	2	"
-- HAIPHONG	:	14	"

Arms

Civil police shall each be armed with a pistol and two clips.

Military police shall each be armed with a "P.M." and four clips.

Office employees, service personnel, and officers responsible for taking over the military domain shall not be armed.

Insignia and Laissez-Passer

Civil and military police of the Advance Detachment of Police of the Government of the Democratic Republic of Vietnam shall wear special insignia and they, as well as the officers responsible for taking over the military domain, shall be provided with orders issued by the Territorial Joint Sub-Commission of North Vietnam.

Date of Entry of Advance Detachments (including the necessary proportionate number of service personnel)

For civil police (except for Haiphong)

-- 48 hours before the successive dates of transfer.

HAIPHONG:

-- 4 days before the transfer date for the City of Haiphong.

For the military police and officers responsible for the takeover of the military domain:

-- 24 hours before the successive dates of transfer.

-- Guards for CAC-BA, and for the lighthouses at HAN-DAU and NORTHWAY* shall be permitted to enter their respective posts on dates fixed by the Territorial Joint Sub-Commission of North Vietnam. The French Union shall be responsible for supplying transportation.

Military police responsible for guarding the interior of billets of the Advance Administrative Detachments at HAIPHONG, HONGAY, QUANG-YEN, KIEN-AN, and DO SON shall enter at the same time as these detachments.

Conditions covering travel, liaison, and protection of Advance Police Detachments:

Members of the Advance Police Detachments of the Democratic Republic of Vietnam shall not circulate in the city except in case of necessity to transmit orders and establish internal liaison.

They shall then be accompanied by members of the French Union Forces.

Military police shall not circulate in the city. Chiefs of Detachments, or their liaison agent, escorted by members of the French Union Forces, may establish contact with various Detachments located throughout the city.

French Union troops are responsible for the security of these Detachments in their billets, and when circulating, no matter how many persons are involved. These Detachments may make use of their arms in legitimate defense. Civil police shall circulate in town unarmed.

Forces of the People's Army of Vietnam shall transport the Advance Police Detachments, escorted from the provisional demarcation line** by elements of the French Union. After the Advance Detachments have been discharged, the vehicles shall return to the zone of the Democratic Republic of Vietnam, except those assigned to transport the Advance Detachments, as follows:

HAIPHONG	:	3 trucks and 2 command cars
QUANG-YEN	:	2 vehicles
KIEN-AN	:	2 "
HON-GAY	:	2 "
CAMPHA	:	2 "

* Should read Norway (Translator's note).

** This refers to the boundary of the Haiphong perimeter.

Immediately upon arrival, the Advance Guard Detachments shall be posted to the buildings that they shall be responsible for guarding after departure of the French Union Forces, and, insofar as possible, assigned separate quarters.

The advance detachments of military police and civil police shall make 1 or 2 daily contacts with the PAVN Command, in vehicles escorted by the French Union military police, along the following routes:

- R.N. No. 5 or No. 10 for HAIPHONG and HAI-AN
- Route No. 10 for KIEN AN
- Routes No. 10 and 18 for QUANG YEN
- in particular for HON GAY, one daily outside contact by Route No. 18 toward CAMPHA
- for CAMPHA, one outside contact by Route No. 18, toward TIEN YEN

Transfer of Civil Police

- 1) Police transfers shall cover:
 - furnishings and buildings of police headquarters and stations.
 - the various regulations concerning current service and current cases.
- 2) Each transfer must be handled by a competent authority at the level of ward Commissioner and above.
- 3) Each transfer shall be the subject of a report that will include comments by responsible officials of the two parties.
- 4) Procedures for the transfer of police are given in Annex IV.

D. Rail Traffic Between Haiphong and Hanoi

Rail traffic shall be regulated during the period 28 April to 13 May 1955 by the Territorial Joint Sub-Commission of North Vietnam.

E. Special Travel

The PAVN shall permit the water-boat "AUBE" to make two trips to CAMPHA PORT to supply water to French Union ships (conditions and dates to be determined by the Territorial Joint Sub-Commission of North Vietnam).

After transfer 01 and 02, the PAVN shall be allowed to send boats through the Baie d'Along with food supplies for HON GAY (conditions, dates, and hours to be determined by the Territorial Joint Sub-Commission of North Vietnam).

Twenty vehicles required for the transport of PAVN troops shall cross from west to east by Route 18 to rejoin the DRVN's zone north of the CAMPHA MINES. If the PAVN so wishes, these vehicles

may transport the advance administrative detachments assigned to CAMPHA PORT and CAMPHA MINES. The French Union shall be responsible for escort and protection along the entire itinerary (dates, and hours to be fixed by the Territorial Joint Sub-Commission of North Vietnam).

F. The Various Annexes Attached

ANNEX I: Schedule of the withdrawals by sector of the French Union Forces -- places, dates, and time of meetings of the Commanders of the two parties responsible for the transfer of each sector of territory -- meeting places of the Joint Groups and Liaison Officers.

Transfer machinery: THUONG-LY section.

City of HAIPHONG -- south of the City of HAIPHONG as far as LACH-TRAY (plans attached).

ANNEX II: Master plan of military installations to be transferred.

ANNEX II bis: Inventory of military property to be transferred.

ANNEX III:* Posting of Advance Detachments.

ANNEX IV:* Police Transfer.

Done at QUYNH-KHE, 11 April 1955

Chief of the Delegation of
the High Command of the
People's Army of Vietnam:

Signed: General Van-Tien-Dung

Chief of the Delegation of the
High Command of the French Union
Forces in Indochina:

Signed: General De Brebisson

* Not reproduced.